

Montana Water Court  
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IN THE WATER COURT OF THE STATE OF MONTANA  
LOWER MISSOURI DIVISION  
MISSOURI RIVER BASIN BETWEEN MUSSELSHELL RIVER  
AND FORT PECK DAM - BASIN (40E)  
PRELIMINARY DECREE

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CLAIMANTS: Veseth & Veseth Livestock Co.; Martin  
Sandvick

OBJECTOR: Veseth & Veseth Livestock Co.

**CASE 40E-0017-R-2022**

- 40E 22372-00      40E 22402-00
- 40E 22374-00      40E 22403-00
- 40E 22375-00      40E 22405-00
- 40E 22377-00      40E 22406-00
- 40E 22378-00      40E 22407-00
- 40E 22379-00      40E 22408-00
- 40E 22382-00      40E 22409-00
- 40E 22383-00      40E 22410-00
- 40E 22384-00      40E 22411-00
- 40E 22385-00      40E 22418-00
- 40E 22386-00      40E 22419-00
- 40E 22387-00      40E 22420-00
- 40E 22388-00      40E 22421-00
- 40E 22390-00      40E 22422-00
- 40E 22391-00      40E 30288-00
- 40E 22393-00      40E 30294-00
- 40E 22394-00      40E 30302-00
- 40E 22395-00      40E 30305-00
- 40E 22396-00      40E 30307-00
- 40E 22398-00      40E 30308-00
- 40E 22399-00      40E 122255-00
- 40E 22401-00      40E 165071-00

**Implied Claims**

- 40E 30160071**
- 40E 30160072**
- 40E 30160073**

**NOTICE OF FILING OF MASTER’S REPORT**

This Master’s Report was filed with the Montana Water Court on the above stamped date. Please review this report carefully.

You may file a written objection to this Master’s Report within **10 days** of the stamped date if you disagree or find errors with the Master’s findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master’s Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days to be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master’s Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master’s Report.

### **MASTER’S REPORT**

The above-captioned claims appeared in the Preliminary Decree for the Missouri River Between Musselshell River and Fort Peck Dam (Basin 40E) issued October 7, 2020. Claimant Veseth & Veseth Livestock (Veseth) objected to all the claims in this case except claim 40E 122255-00. Many of the claims also received issue remarks from the Department of Natural Resources and Conservation (DNRC) indicating potential legal or factual issues with the claims. The Water Court consolidated the claims into Water Court Case 40E-0017-R-2022 to address the objections and issue remarks.

The Court requested that Veseth file information or evidence supporting its objections and addressing any issue remarks. On October 6, 2022, Veseth submitted its Notice of Filing of Resolution of Objections (Doc. 8.00)<sup>1</sup> (“Response”) and on July 10, 2023, Veseth filed its Notice of Filing of Additional Evidence (Doc 18.00)(“Additional Evidence”).

### **FINDINGS OF FACT**

1. Martin Sandvick is listed as an owner of several claims in this case. The state’s Water Rights Database shows Mr. Sandvick as deceased. Veseth has represented to the Court that Mr. Sandvick owns no portion of the place of use of the claims for

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<sup>1</sup> “Doc” refers to the docket number of the document in the Water Court’s Full Court Enterprise case management system.

which he is listed as an owner. The Court attempted to contact Mr. Sandvick or his successors on multiple occasions and was unsuccessful.

On November 30, 2023, the Court issued an Order to Show Cause why Mr. Sandvick should not be removed as an owner of claims 40E 22377-00, 40E 22378-00, 40E 22379-00, 40E 22388-00, 40E 22401-00, 40E 22402-00, 40E 22403-00, 40E 22406-00, 40E 22407-00, 40E 22408-00, 40E 22411-00, and 40E 22419-00. The Show Cause Order stated that if nothing was filed by the deadline, Mr. Sandvick’s name would be removed from the claims in the DNRC database. Nothing was filed by the deadline.  
40E 22372-00

2. Claim 4E 22372-00 is an irrigation claim to two reservoirs – one on Third Creek and one on an unnamed Tributary of Third Creek. It appeared in the Preliminary Decree with the following issue remark raising legal or factual issues:

THIS CLAIM APPEARS TO BE CLAIMING TWO SEPARATE SOURCES OF WATER.  
 MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

Veseth requests that the reservoir on Third Creek be removed from claim 40E 22372-00 and reflected in an implied claim.

40E 22372-00 should be modified as follows:

Source Name: THIRD CREEK  
 Source Type: SURFACE WATER  
~~Source Name: UNNAMED TRIBUTARY OF THIRD CREEK~~  
~~Source Type: SURFACE WATER~~  
 --  
 Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr	Sec	Sec	Twp	Rge	County
1		NE	SE	29	24N	29E	PHILLIPS
Period of Diversion: JANUARY 1 TO DECEMBER 31							
Diversion Means: DAM							
2		NW	WSW	28	24N	20E	PHILLIPS
Period of Diversion: <del>JANUARY 1 TO DECEMBER 31</del>							
Diversion Means: DAM							
Reservoir: ONSTREAM							

	<u>Cont Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		NESESE	29	24N	29E	PHILLIPS
Diversion to Reservoir:	DIVERSION # 1					
Dam Height:	12.00 FEET					
Depth:	9.00 FEET					
Surface Area:	16.69 ACRES					
Capacity:	60.08 ACRE-FEET					

Reservoir: ONSTREAM

	<u>Cont Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		NWNWSW	28	24N	20E	PHILLIPS
Diversion to Reservoir:	DIVERSION # 2					
Dam Height:	12.00 FEET					
Depth:	9.00 FEET					
Surface Area:	11.53 ACRES					
Capacity:	41.51 ACRE- FEET					

~~THE CAPACITY, DAM HEIGHT, MAXIMUM DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.  
THE DAM EXTENDS INTO THE W2SWSW, SEC 20 TWP 24N RGE 20E PHILLIPS COUNTY.~~

An informational remark should be added to the claim, stating: **“The combined volume of claims 40E 22372-00 and 40E 30160071 shall not exceed 74.50 AC-FT.”**

Claim 40E 22372-00 also received the following issue remarks that serve only to provide notice to water users (Notice Only Remarks):

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD AND MEANS OF DIVERSION WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 30160071 (implied from 40E 22372-00)

3. Implied claim 40E 30160071 should be created with the same elements as claim 40E 22372-00 except as follows:

Source Name: UNNAMED TRIBUTARY OR THIRD CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	NWNWSW	28	24N	29E	PHILLIPS
Source Name:		UNNAMED TRIBUTARY OF THIRD CREEK			
Period of Diversion:		JANUARY 1 TO DECEMBER 31			
Diversion Means:		DAM			

Reservoir: ONSTREAM

<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
NWNWSW	28	24N	29E	PHILLIPS
Diversion to Reservoir:		DIVERSION #2		
Dam Height:		12.00 FEET		
Depth:		9.00 FEET		
Surface Area:		11.53 ACRES		
Capacity:		41.51 ACRE-FEET		

THE DAM EXTENDS INTO THE W2SWSW, SEC 29 TWP 24N RGE 29E PHILLIPS.

An informational remark should be added to the claim, stating: **“The combined volume of claims 40E 22372-00 and 40E 30160071 shall not exceed 74.50 AC-FT.”**

40E 22374-00

4. Veseth objected to Claim 40E 22374-00 seeking to increase the claim’s volume to the DNRC’s guidelines. Veseth’s request is supported by a July 7, 2023 Declaration of Dale Veseth. Doc. 18.00, Exhibit A. The claim should be modified as follows:

**Volume: ~~64.50 AC-FT~~ 98.90 AC-FT**

40E 22375-00

5. Veseth objected to Claim 40E 22375-00 seeking to increase the claim’s volume to the DNRC’s guidelines. Veseth’s request is supported by a July 7, 2023 Declaration of Dale Veseth. The claim should be modified as follows:

**Volume: ~~32.00 AC-FT~~ 50.60 AC-FT**

40E 22377-00

6. Claim 40E 22377-00 is a water spreading claim that received the following issue remark:

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE DIKE CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

Veseth notes that while dikes for this claim are difficult to identify on aerial photographs, the DNRC previously modified the point of diversion for this claim to the NWNWNW of Section 3, suggesting that it was once able to locate the dikes. The Claimant states that upon review, it has determined the abstract accurately reflects historical use. No modification of the point of diversion is necessary.

Veseth also objected to the claim seeking to increase the claim's volume to the DNRC's guidelines. Veseth's request is supported by a July 7, 2023 Declaration of Dale Veseth. The claim should be modified as follows:

**Volume: ~~16.50 AC-FT~~ 25.30 AC-FT**

Martin Sandvick should be removed as an owner of the claim.

40E 22378-00

7. Veseth objected to the claim seeking to increase the claim's volume to the DNRC's guidelines. Veseth's request is supported by a July 7, 2023 Declaration of Dale Veseth. The claim should be modified as follows:

**Volume: ~~15.00 AC-FT~~ 23.00 AC-FT**

Martin Sandvick should be removed as an owner of the claim.

The claim also received the following Notice Only Remark:

MEANS OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22379-00

8. Veseth objected to Claim 40E 22379-00 seeking to increase the claim's volume to the DNRC's guidelines. Veseth's request is supported by a July 7, 2023 Declaration of Dale Veseth. The claim should be modified as follows:

**Volume: ~~26.25 AC-FT~~ 40.25 AC FT**

Martin Sandvick should be removed as an owner of the claim.

40E 22382-00

9. Veseth objected to Claim 40E 22382-00 seeking to correct the point of diversion. However, Veseth's Response states that the elements of the claim accurately

reflect historical use and no corrections are necessary. The claim did not receive any issue remarks.

40E 22383-00

10. Veseth objected to Claim 40E 22383-00 seeking to correct the point of diversion. However, Veseth’s Response states that the elements of the claim accurately reflect historical use and no corrections are necessary. The claim did not receive any issue remarks.

40E 22384-00

11. Veseth objected to Claim 40E 22384-00 seeking to correct the legal land descriptions to accurately describe the location of the well. While DNRC modified the point of diversion for this claim to the NENENW of Section 21, T24N, R30 E, it left the place of use unchanged. Based on the map submitted with the Statement of Claim, the following correction should be made to match the place of use for this claim with the location of the well:

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	NENENW	24 21	24N	30E	PHILLIPS

The claim also received the following Notice Only Remark:

POINT OF DIVERSION WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22385-00

12. Claim 40E 22385-00 is a stock claim diverted by a dam. Veseth objected to expand the place of use to include the entire reservoir including a portion of creek upstream of the dam where water backs up and stock drink. The Claimant’s aerial photo supports the objection, and the claim should be modified as follows:

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	SESE	29	24N	29E	PHILLIPS
2	NESE	29	24N	29E	PHILLIPS
3	NWSE	29	24N	29E	PHILLIPS

The claim also received the following Notice Only Remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22386-00

13. Claim 40E 22386-00 is a stock claim diverted by a dam. The DNRC modified the claim’s point of diversion during its reexamination and placed the following substantive issue remark on the claim:

THE PLACE OF USE APPEARS TO NEED MODIFICATION BASED ON THE DNRC CORRECTION TO THE POINT OF DIVERSION AND RESERVOIR RECORD. THE CORRECT PLACE OF USE LEGAL LAND DESCRIPTION APPEARS TO BE THE NWSW SEC 28 TWP 24N RGE 29E PHILLIPS COUNTY.

Veseth objected to expand the place of use to include the entire reservoir including a portion of creek upstream of the dam where water backs up and stock drink. The Claimant’s aerial photo supports the objection, and the claim should be modified as follows:

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	NESE	29	24N	29E	PHILLIPS
2	SENE	29	24N	29E	PHILLIPS
3	NWSW	28	24N	29E	PHILLIPS
4	SWNW	28	24N	29E	PHILLIPS

Veseth’s correction addresses the place of use issue remark.

Upon review of this claim, the Court identified a clerical error in the section designation for the reservoir. The following correction should be made to correct the clerical error and ensure the reservoir record matches the point of diversion:<sup>2</sup>

**Reservoir**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWSW	29 <u>28</u>	24N	29E	Phillips

<sup>2</sup> This error was not previously identified by the Claimant. If the Claimant disagrees with this correction, it may object to this Master’s Report.



The claim also received the following Notice Only Remark:

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22387-00

14. Claim 40E 22387-00 is a stock claim diverted by a dam. Veseth objected to the claim seeking to correct the place of use to include the entire reservoir where stock drink. The Claimant's aerial photo supports the objection, and the claim should be modified as follows:

**Place of Use:**

<u>1</u>	<u>NWSWSW</u>	<u>8</u>	<u>24N</u>	<u>29E</u>	<u>PHILLIPS</u>
<u>2</u>	<u>SWNWSW</u>	<u>8</u>	<u>24N</u>	<u>29E</u>	<u>PHILLIPS</u>

The claim also received the following Notice Only Remark:

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22388-00

15. Claim 40E 22388-00 is a stock claim to a reservoir on an unnamed tributary of North Coulee. Veseth objected to the claim seeking to correct the place of use to include the entire reservoir where stock drink. The Claimant's aerial photo supports the objection, and the claim should be modified as follows:

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>	<u>SWNESW</u>	<u>27</u>	<u>23N</u>	<u>29E</u>	<u>PHILLIPS</u>
<u>2</u>	<u>SENWSW</u>	<u>27</u>	<u>23N</u>	<u>29E</u>	<u>PHILLIPS</u>

Martin Sandvick should be removed as an owner of the claim. The claim also received the following Notice Only Remark:

SOURCE NAME WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM

40E 22390-00

16. Claim 40E 22390-00 is a stock claim to a reservoir on an unnamed tributary of Tank Coulee. Veseth objected to the claim’s point of diversion and place of use. The following modifications should be made as shown in the Claimant’s aerial photo.<sup>3</sup>

**Point of Diversion and Reservoir:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1	<del>SWNESE</del> SWNE	2	24N	29E	PHILLIPS

**Place of Use:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1	<del>SWNESE</del> W2NE	2	24N	29E	PHILLIPS

The claim also received the following Notice Only Remark:

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22391-00

17. 40E 22391-00 is a stock claim to a reservoir on an unnamed tributary of Second Creek. Veseth objected to the claim seeking to correct the place of use to include the entire reservoir where stock drink. The Claimant’s aerial photo supports the objection, and the claim should be modified as follows:

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	<del>NENENW</del> N2NWSE	14	24N	29E	PHILLIPS
2	<del>SWSWNE</del> S2SWNE	14	24N	29E	PHILLIPS
3	<del>SESENW</del>	14	24N	29E	PHILLIPS

The claim also received the following Notice Only Remarks:

<sup>3</sup> This correction deviates from the Claimant’s requested modification because the Court identified a clerical error in the Claimant’s Response. Specifically, the Claimant’s response correctly identifies the point of diversion for this claim in section 2 (consistent with the Claimant’s aerial and the associated lot number), but incorrectly suggests the reservoir should be in section 28 (both in T24N. R29E). If the Claimant disagrees with this correction, it may object to this Master’s Report.

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM

40E 22393-00

18. Claim 40E 22393-00 is a stock claim to a reservoir on an unnamed tributary of Third Creek. Veseth objected to the claim seeking to correct the place of use to include the entire reservoir where stock drink and the period of use to reflect that stock drink from the reservoir year-round when water is in the source. The Claimant's aerial photo supports the objection, and the claim should be modified as follows:

**Period of Use:** ~~May 1 to November 30~~ January 1 to December 31

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	NWSWSW	26	24N	29E	PHILLIPS
2	NESESE	27	24N	29E	PHILLIPS
3	SENESE	27	24N	29E	PHILLIPS

40E 22394-00

19. Claim 40E 22394-00 is a stock claim to a reservoir on an unnamed tributary of Third Creek. Veseth objected to the claim seeking to correct the place of use to include the entire reservoir where stock drink. The Claimant also seeks to correct the period of diversion to reflect that this onstream reservoir is diverted year-round and the period of use to reflect that Veseth cattle drink from the reservoir whenever water is present in the reservoir. The Claimant's aerial photo supports the objection, and the claim should be modified as follows:

**Period of Diversion:** ~~May 1 to November 30~~ January 1 to December 31

**Period of Use:** ~~May 1 to November 30~~ January 1 to December 31

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	NWSW	35	24N	29E	PHILLIPS
2	NESE	34	24N	29E	PHILLIPS

The claim also received the following Notice Only Remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22395-00:

20. Claim 40E 22395-00 is a stock claim to a reservoir on Third Creek. Veseth objected to the claim seeking to correct the place of use to include the entire reservoir where stock drink and the period of use to reflect that stock drink from the reservoir whenever there is water present. The Claimant’s aerial photo supports the objection, and the claim should be modified as follows:

**Period of Use:** ~~May 1 to November 30~~ January 1 to December 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESE <sup>4</sup>	35	24N	29E	Phillips
2			NESE	35	24N	29E	Phillips

40E 22396-00

21. Claim 40E 22396-00 is a claim to a stock reservoir on an unnamed tributary of Tank Coulee. Veseth objected to the claim seeking to correct the point of diversion and reservoir record to accurately reflect the location of the dam. The Claimant’s aerial photograph supports the objection, and the claim should be modified as follows:

**Point of Diversion and Reservoir:**

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<sup>4</sup> The Claimant’s Response incorrectly suggests that Place of Use No. 1 for this claim is the NWSWSW of Section 26, T24N, R29E. This appears to be a clerical error. If the Claimant disagrees with this finding, it may object to this Master’s Report.

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	<del>SE</del> NENWNE	21	24N	30E	PHILLIPS

40E 22398-00

22. Claim 40E 22398-00 is a stock claim to a reservoir on an unnamed tributary of Second Creek. Veseth objected to the claim and seeks to correct place of use to include the entire reservoir where stock drink. Veseth also seeks to correct the period of diversion to reflect that this onstream reservoir is diverted year-round and the period of use to reflect that Veseth’s cattle drink from the reservoir whenever water is present. The Claimant’s aerial photo supports the objection, and the claim should be modified as follows:

**Point of Diversion:**

**Period of Diversion:** ~~APRIL 1 TO AUGUST 31~~  
JANUARY 1 TO DECEMBER 31

**Period of Use:**

~~APRIL 1 TO AUGUST 31~~  
JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	SE	15	24N	29E	PHILLIPS
2	S2NESW	15	24N	29E	PHILLIPS
3	N2SESW	15	24N	29E	PHILLIPS

The claim received the following Notice Only Remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22399-00

23. Claim 40E 22399-00 is a stock claim to a reservoir on an unnamed tributary of Second Creek. Veseth objected to the claim seeking to correct the place of use to

include the entire reservoir where stock drink. The Claimant's aerial photo supports the objection, and the claim should be modified as follows:

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	SESWSE	14	24N	29E	PHILLIPS
2	SWSESE	14	24N	29E	PHILLIPS
3	NENWNE	23	24N	29E	PHILLIPS

The claim also received the following Notice Only Remark:

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22401-00

24. Claim 40E 22401-00 is a stock claim to a reservoir on an unnamed tributary of Fourchette Creek that appeared in the Preliminary Decree with the following substantive issue remark:

THE PLACE OF USE APPEARS TO NEED MODIFICATION BASED ON THE DNRC CORRECTION TO THE POINT OF DIVERSION AND RESERVOIR RECORD. THE CORRECT PLACE OF USE LEGAL LAND DESCRIPTION APPEARS TO BE THE NWNENE SEC 4 TWP 22N RGE 29E PHILLIPS COUNTY.

Veseth objected the claim seeking to correct the location of the reservoir and correct the period of use to reflect that Veseth livestock drink from the reservoir whenever water is present. The Claimant agrees that the point of diversion is accurate as decreed and the place of use should be modified as suggested in the issue remark. The claim should be modified as follows:

**Period of Use:** ~~MAY 1 TO OCTOBER 31~~  
JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	NENE	5	22N	29E	PHILLIPS
	NWNENE	4			

Martin Sandvik should be removed as an owner of the claim. The claim also received the following Notice Only Remark:

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22402-00:

25. Claim 40E 22402-00 is a stock claim to a reservoir on an unnamed tributary of Fourchette Creek that appeared in the Preliminary Decree with the following substantive issue remark:

THE PLACE OF USE APPEARS TO NEED MODIFICATION BASED ON THE DNRC CORRECTION TO THE POINT OF DIVERSION AND RESERVOIR RECORD. THE CORRECT PLACE OF USE LEGAL LAND DESCRIPTION APPEARS TO BE THE NENWNW SEC 4 TWP 22N RGE 29E PHILLIPS COUNTY.

Veseth objected the claim seeking to correct the location of the reservoir and correct the period of use to reflect that Veseth's livestock drink from the reservoir whenever water is present. The Claimant agrees that the point of diversion is accurate as decreed and the place of use should be modified as suggested in the issue remark. The claim should be modified as follows:

**Period of Use:** ~~MAY 1 TO OCTOBER 31~~  
JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	SENE	4	22N	29E	PHILLIPS
	NENWNW				

Martin Sandvik should be removed as an owner of the claim. The claim also received the following Notice Only Remark:

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22403-00

26. Claim 40E 22403-00 is a stock claim to a reservoir on an unnamed tributary of Fourchette Creek. Veseth objected seeking to correct the place of use to include the

entire reservoir where stock drink. The Claimant’s aerial photo supports the objection and the claim should be modified as follows:

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSE	28	23N	29E	Phillips
<u>2</u>			<u>NWSWSE</u>	<u>28</u>	<u>23N</u>	<u>29E</u>	<u>Phillips</u>

Martin Sandvik should be removed as an owner of the claim.

40E 22405-00:

27. Claim 40E 22405-00 is a stock claim to a reservoir on Tank Coulee. The claim is based on a January 27, 1958 Notice of Appropriation that states the water was appropriated in June of 1948. However, when Alfred Veseth filled out the Statement of Claim on behalf of the Claimant, he wrote only the year 1948 – no month or day. The claim therefore appeared in the Preliminary Decree with a priority date of December 31, 1948.

Veseth objected to correct the priority date to reflect the date in the Notice of Appropriation and to modify the place of use to include the entire reservoir where stock drink. The Claimant’s aerial photograph supports the location of the reservoir, and the claim should be modified as follows:

**Priority Date:** ~~December 31, 1948~~ June 30, 1948

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	21	24N	30E	Phillips
<u>2</u>			<u>S2SW</u>	<u>16</u>	<u>24N</u>	<u>30E</u>	<u>Phillips</u>

The claim also received the following Notice Only Remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD AND POINT OF DIVERSION WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.



40E 22406-00

28. Claim 40E 22406-00 is a stock claim to a reservoir on an unnamed tributary of Fourchette Creek. Veseth objected to correct the period of use to reflect that Veseth's livestock drink from the onstream reservoir whenever water is present. The following modification should be made:

**Period of Use: ~~March 1 to May 1~~ January 1 to December 31**

Martin Sandvick should be removed as an owner of the claim.

40E 22407-00

29. Claim 40E 22407-00 is a stock claim to a reservoir on an unnamed tributary of Fourchette Creek. The original claimant located the reservoir in the NESENE of Section 5, T22N, R29E on the Statement of Claim. This location was supported by two affidavits of individuals with personal knowledge. When the DNRC reexamined the claim, it moved the point of diversion to the NESENE of *Section 4*. The DNRC then placed the following substantive issue remark on the claim:

THE PLACE OF USE APPEARS TO NEED MODIFICATION BASED ON THE DNRC CORRECTION TO THE POINT OF DIVERSION AND RESERVOIR RECORD. THE CORRECT PLACE OF USE LEGAL LAND DESCRIPTION APPEARS TO BE THE NESENE SEC 4 TWP 22N RGE 29E PHILLIPS COUNTY.

Veseth objected to the claim to correct the location of the reservoir. The Claimant's aerial photo shows a reservoir in the NENE of Section 5, T22N, R29E, which is closer to the originally claimed point of diversion and therefore more likely to reflect the water right originally claimed. Accordingly, the following modification should be made to the claim:

**Point of Diversion:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	<del>NESENE</del>	4	22N	29E	PHILLIPS
	NENE	5			

**Reservoir:** ONSTREAM

<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<del>NESENE</del>	4	22N	29E	PHILLIPS
NENE	5			

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	<del>NESENE</del>	4	22N	29E	PHILLIPS
	NENE	5			

The claim received the following Notice Only Remark:

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

Martin Sandvick should be removed as an owner of the claim.

40E 22408-00

30. Claim 40E 22408-00 is a stock claim to a reservoir on an unnamed tributary of Fourchette Creek. Veseth objected to correct the period of use to reflect that Veseth's livestock drink from the onstream reservoir whenever water is present. The following modification should be made:

**Period of Use: ~~March 1 to May 1~~ January 1 to December 31**

Martin Sandvick should be removed as an owner of the claim.

40E 22409-00

31. Veseth's objection to claim 40E 22409-00 is resolved without modification to the claim. Doc. 8.00 at 18; Doc. 18.00 at 2.

40E 22410-00

32. Veseth's objection to claim 40E 22410-00 is resolved without modification to the claim. Doc. 8.00 at 17.

40E 22411-00

33. Claim 40E 22411-00 is a stock claim to a reservoir on an unnamed tributary of Fourchette Creek. Veseth objected to correct the period of use to reflect that Veseth's

livestock drink from the onstream reservoir whenever water is present. The following modification should be made:

**Period of Use:** ~~March 1 to May 1~~ **January 1 to December 31**

Martin Sandvick should be removed as an owner of the claim.

40E 22418-00

34. Claim 40E 22418-00 is a stock claim to a reservoir on Tank Coulee. Veseth objected to the claim seeking to correct the place of use to include the entire reservoir where stock drink. Veseth also seeks to correct the period of diversion to reflect that this onstream reservoir is diverted year-round and the period of use to reflect that Veseth’s cattle drink from the reservoir whenever water is present. The Claimant’s aerial photo supports the objection, and the claim should be modified as follows:

**Point of Diversion:**

**Period of Diversion:** ~~MAY 1 TO NOVEMBER 30~~  
JANUARY 1 TO DECEMBER 31

**Period of Use:**

~~MAY 1 TO NOVEMBER 30~~  
JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	<del>SW</del> S2SW	16	24N	30E	PHILLIPS
2	<del>N2NW</del>	21	24N	30E	PHILLIPS

The Claim also received the following Notice Only Remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD AND POINT OF DIVERSION WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 22419-00

35. Veseth’s objection is resolved with no substantive modification to the claim. Doc. 18.00 at 2. Martin Sandvick should be removed as an owner of the claim.

40E 22420-00

36. Claim 40E 22420-00 is a domestic claim for a well in the SWNWSE of Section 30, T24N, R29E. Veseth objected seeking to correct the location where the claim was historically used, but states in its Additional Evidence that the place of use can remain as decreed. Doc. 18.00 at 2.

Veseth also objected seeking to create an implied stock claim based on this domestic claim. When Alfred Veseth filed the original Statement of Claim for this right, he attached a Declaration of Vested Groundwater Rights, which states this is a right for “domestic & stock.” Implied claim 40E 30160072 should be generated to reflect historical stock use. It should share the same elements as claim 40E 22420-00 except as follows:

40E 30160072 (implied from 40E 22420-00)

**Purpose: Stock**

Claims 40E 30160072 and 40E 22420-00 should each receive a multiple use information remark limiting the quantity of water between the claims to historical use.

40E 22421-00

37. Claim 40E 22421-00 is a domestic claim for a well in the SWNESW of Section 14, T24N, R29E. Veseth objected seeking to correct the location where the claim was historically used, but states in its Response that the elements are accurate as decreed. Doc. 8.00 at 21.

Veseth also objected seeking to create an implied stock claim based on this domestic claim. When Alfred Veseth filed the original Statement of Claim for this right, he attached an affidavit of Clarence Blunt, attesting to the fact that this well was historically used “for household and stock water use.” Implied claim 40E 30160073 should be generated to reflect historical stock use. It should share the same elements as claim 40E 22421-00 except as follows:

40E 30160073 (implied from 40E 22421-00)

**Purpose: Stock**

Claims 40E 30160073 and 40E 22421-00 should each receive a multiple use information remark limiting the quantity of water between the claims to historical use.

40E 22422-00

38. Veseth’s objection to claim 40E 22422-00 is resolved without modification to the claim. Doc. 8.00 at 22.

40E 30288-00

39. Claim 40E 30288-00 is an irrigation claim to a reservoir on Fourchette Creek, North Fork. Veseth objected to correct the location of the reservoir and place of use and increase the volume to one fill of the reservoir. Vesth’s Additional Evidence states the volume can remain as decreed. Doc. 18.00 at 2. The point of diversion and place of use objections are supported by the map submitted with the Statement of Claim and appear consistent with the Water Resources Survey map showing the location of the dikes. The claim should be modified as follows:

<b>Maximum Acres:</b>	<del>9.00</del> 14.10					
<b>Place of Use:</b>						
<u>ID</u>	<u>Acres</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.40	NENENW	15	23N	29E	PHILLIPS
2	4.35	NWNWNE	15	23N	29E	PHILLIPS
3	5.60	SESESW	10	23N	29E	PHILLIPS
4	0.75	SWSWSE	10	23N	29E	PHILLIPS
Total:	<del>9.00</del>					
	14.10					

The Claim also received the following Notice Only Remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 30294-00

40. Claim 40E 30294-00 is a stock claim to a reservoir on an unnamed tributary of Second Creek. Veseth objected the claim seeking to correct the place of use to include

the entire reservoir where livestock drink. The Claimant's aerial photo supports the objection, and the claim should be modified as follows:

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	NENE N2NE	17	24N	29E	PHILLIPS

The claim also received the following Notice Only Remark:

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

claim:

40E 30302-00

41. Veseth's objection to claim 40E 30302-00 is resolved without modification to the claim. Doc. 8.00 at 24.

40E 30305-00

42. Claim 40E 30305-00 is a stock claim to a reservoir on an unnamed tributary of Third Creek. Veseth objected to the place of use to correct the claim to include the full reservoir where stock drink. The Claimant's aerial photo supports the objection, and the claim should be modified as follows:

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	E2SESW SESW	27	24N	29E	PHILLIPS

40E 30307-00

43. Claim 40E 30307-00 is a stock claim to a reservoir on an unnamed tributary of Third Creek. Veseth objected to the place of use to correct the claim to include the entire reservoir where livestock drink. The Claimant's aerial photo supports the objection, and the claim should be modified as follows:

**Place of Use:**

<u>ID</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	W2NWNW	34	24N	29E	PHILLIPS
2	E2NENE	33	24N	29E	PHILLIPS

The claim also received the following Notice Only Remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 30308-00

44. Veseth's objection to claim 40E 30308-00 is resolved without modification of the claim. Doc. 8.00 at 24. The claim received the following Notice Only Remark:

POINT OF DIVERSION WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 122255-00

45. Claim 40E 122255-00 is a water spreading irrigation claim that appeared in the Preliminary Decree with the following substantive issue remark:

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 21.3 TIMES THE CAPACITY OF THE RESERVOIR.

The DNRC places these volume issue remarks on claims when the size of the reservoir appears inadequate to store and release the claimed volume. Because water spreading systems divert and use water based on availability, reservoirs in these systems often function primarily to divert the water, not store it. Therefore, the relatively small reservoir size does not indicate the volume of this claim is excessive. No modification is required.

The claim received the following Notice Only Remark:

MEANS OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

40E 165071-00

46. Claim 40E 165071-00 is an irrigation claim to a reservoir on an unnamed Tributary of Second Creek. It is a multiple use of the reservoir covered by claim 40E

165068-00. The Claimant objected to correct the reservoir information to match that of Claim 40E 165068-00. The claim should be modified as follows:

**Point of Diversion:**

**Reservoir:** ONSTREAM

<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
SWSWNW	8	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** ~~12.00 FEET~~ 20.00 FEET

**Depth:** ~~10.00 FEET~~ 17.00 FEET

**Surface Area:** ~~12.70 ACRES~~ 19.50 FEET

**Capacity:** ~~50.60 ACRE- FEET~~ 144.00 ACRE-FEET

THE RESERVOIR EXTENDS INTO THE E2NE SEC 7 TWP 24N RGE  
29E PHILLIPS COUNTY.

The claim received the following Notice Only Remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

PRINCIPLES OF LAW

1. The Montana Water Court has the authority to determine the extent of all water rights in the state as they existed prior to July 1, 1973. *Fellows v. Saylor*, 2016 MT 45, ¶ 25, 382 Mont. 298, 367 P.3d 732; §§ 85-2-233, -102(12), MCA.

2. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. § 85-2-227, MCA. This prima facie proof may be contradicted and overcome by other evidence that proves, by a preponderance of the evidence, that the elements of the claim do not accurately reflect the beneficial use of the water right as it existed prior to July 1, 1973. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R.

3. The Water Court recognizes implied claims where a claimant can prove that: (1) the claimant's original statement of claim and attached documentation indicate



the existence of two or more water rights; (2) historic use corroborates the implied claim; and (3) the court's recognition of the implied claim will not alter historic water use or increase the historic burden to other water users. *Claimants: Lee E. Foss*, 2013 Mont. Water LEXIS 17, \*32; *In re Tucker*, 2019 Mont. Water LEXIS 59, \*2-3.

4. Section 85-2-248(2), MCA, requires that the Water Court resolve all issue remarks that are not resolved through the objection process. See also Rule 7, W.R.Adj.R. The Montana Water Court has the authority to resolve issue remarks when the claim file and information available to the Court provide a sufficient basis to do so. Section 85-2-248(3), MCA.

5. If a claimant, objector, or intervenor fails to appear at a scheduled conference or hearing or fails to comply with an order issued by the water court, the water court, upon motion, or its own initiative, may issue such orders of sanction with regard thereto as are just. Sanctions applied against claimants may include termination of the claim; or modification of the claim to conform with data provided by the department, information obtained by the court, or information included in an objection. Sanctions applied against objectors and intervenors may include dismissal of the objector or intervenor from the proceeding. Rule 22, W.R.Adj.R

#### CONCLUSIONS OF LAW

1. The Findings of Fact above are supported by a preponderance of the evidence. The clerical errors identified in the Findings of Fact above should be corrected pursuant to Rule 60, M.R.Civ.P. The claims should be modified as described above.

2. Martin Sandvick or his successors have failed to participate in this case despite the Court's efforts to solicit their participation. Information before the Court suggests Martin Sandvick and his successors claim no interest in the above-captioned claims. Martin Sandvick should be removed as an owner of the claims identified in Finding of Fact No. 1 pursuant to Rule 22, W.R.Adj.R.

3. The implied claims requested by Veseth are supported by filings submitted with the respective Statements of Claim. Those filings are evidence of historical water use, and the implied claims do not increase the extent of the rights and therefore do not

increase the historical burden on other water users. Implied claims 40E 30160071, 40E 30160072, and 40E 30160073 should be generated as described above.

4. The substantive issue remarks on the above-captioned claims have been resolved or fail to overcome the prima facie status of the claims. The Notice Only Remarks have served their notice purpose. All issue remarks should be removed from the claims.

5. The claim modifications and removal of issue remarks described above resolve Veseth's objections in this case.

### RECOMMENDATIONS

Based on the foregoing Findings of Fact and Conclusions of Law, this Master recommends the Court modify claims, generate implied claims, and remove issue remarks, as described above.

A Post Decree Abstract of Water Right for each water right claim is attached to this Master's Report for review.

### **ELECTRONICALLY SIGNED AND DATED BELOW.**

**Service via Electronic Mail:**

Benjamin S Sudduth  
SUDDUTH LAW PLLC  
PO Box 507  
Bozeman, MT 59771-0507  
406-272-2390  
benjamin@sudduthlaw.com  
(represents Veseth & Veseth)

**Service via USPS Mail:**

Martin Sandvick (deceased)  
~~PO BOX 1368~~  
~~Malta, MT 59538-1368~~  
~~PO Box 770~~  
~~Malta, MT 59538~~  
(undeliverable)

**Note: Caption Updated 1-11-2024**

\\JUDHLNSRV-DATA\Share\JUDGALH2OSRV (Datavol)\Share\WC-BASIN FOLDERS\40E PD\40E CASES\17\EO 40E-0017-R-2022 MR (Supported Objections)\_ 1-11-2024 rr for vh.docx

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22372-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** JUNE 17, 1946

**Type of Historical Right:** FILED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 74.50 AC-FT

THE COMBINED VOLUME OF CLAIMS 40E 22372-00 AND 40E 30160071 SHALL NOT EXCEED 74.50 AC-FT.

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 52.00

**Source Name:** THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	29	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESESE	29	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 12.00 FEET

**Depth:** 9.00 FEET

**Surface Area:** 16.69 ACRES

**Capacity:** 60.08 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	13.00		NWSW	28	24N	29E	PHILLIPS
2	34.00		SWSW	28	24N	29E	PHILLIPS

3	5.00	SESW	28	24N	29E	PHILLIPS
<b>Total:</b>	<u>52.00</u>					

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**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

22372-00

22385-00

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22374-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1947

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** WATER SPREADING

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

**Volume:** 98.90 AC-FT

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 43.00

**Source Name:** THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	29	24N	29E	PHILLIPS
<b>Period of Diversion:</b>		JANUARY 1 TO DECEMBER 31				
<b>Diversion Means:</b>		DIVERSION DAM				
2		SWSENW	29	24N	29E	PHILLIPS
<b>Period of Diversion:</b>		JANUARY 1 TO DECEMBER 31				
<b>Diversion Means:</b>		DIVERSION DAM				

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	14.00		NWNW	29	24N	29E	PHILLIPS
2	20.00		SWNW	29	24N	29E	PHILLIPS
3	9.00		SENW	29	24N	29E	PHILLIPS
<b>Total:</b>	43.00						

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22375-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1945

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** WATER SPREADING

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

**Volume:** 50.60 AC-FT

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 22.00

**Source Name:** SECOND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	8	24N	29E	PHILLIPS

**Period of Diversion:** FEBRUARY 1 TO OCTOBER 31

**Diversion Means:** DIKE

**Period of Use:** FEBRUARY 1 TO OCTOBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NESWSE	8	24N	29E	PHILLIPS
2	7.00		NWSESE	8	24N	29E	PHILLIPS
3	7.00		E2SESE	8	24N	29E	PHILLIPS
4	5.00		SWSESE	8	24N	29E	PHILLIPS

**Total:** 22.00

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22377-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1958

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** WATER SPREADING

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

**Volume:** 25.30 AC-FT

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 11.00

**Source Name:** UNNAMED TRIBUTARY OF FOURCHETTE CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	3	22N	29E	PHILLIPS

**Period of Diversion:** FEBRUARY 15 TO NOVEMBER 30

**Diversion Means:** DIKE

**Period of Use:** FEBRUARY 15 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NWNWNW	3	22N	29E	PHILLIPS
2	3.00		NENWNW	3	22N	29E	PHILLIPS
3	3.00		NWNENW	3	22N	29E	PHILLIPS
4	2.00		SESWSW	34	23N	29E	PHILLIPS

**Total:** 11.00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM  
BASIN 40E**

**Water Right Number:** 40E 22378-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1933

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** WATER SPREADING

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 23.00 AC-FT

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 10.00

**Source Name:** UNNAMED TRIBUTARY OF FOURCHETTE CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESENW	33	23N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESENW	33	23N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** FEBRUARY 1 TO OCTOBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	7.00		SENW	33	23N	29E	PHILLIPS
2	3.00		SWNE	33	23N	29E	PHILLIPS
<b>Total:</b>	10.00						



**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22379-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1956

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** WATER SPREADING

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

**Volume:** 40.25 AC-FT

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 17.50

**Source Name:** NORTH COULEE

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESW	34	23N	29E	PHILLIPS

**Period of Diversion:** MARCH 15 TO NOVEMBER 30

**Diversion Means:** DIVERSION DAM

**Period of Use:** MARCH 15 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		SESW	34	23N	29E	PHILLIPS
2	15.50		NENW	3	22N	29E	PHILLIPS
<b>Total:</b>	<b>17.50</b>						

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22382-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1948

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 10.00 GPM

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNW	24	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENWNW	24	24N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22383-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1939

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 4.00 GPM

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	33	23N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWSE	33	23N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22384-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1960

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 8.00 GPM

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	21	24N	30E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENENW	21	24N	30E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22385-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** JUNE 17, 1946

**Type of Historical Right:** FILED

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	29	24N	29E	PHILLIPS

**Period of Diversion:** FEBRUARY 1 TO DECEMBER 15

**Diversion Means:** DAM

THE DAM EXTENDS INTO THE W2SWSW , SEC 29 TWP 24N RGE 29E PHILLIPS COUNTY.

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESESE	29	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 12.00 FEET

**Depth:** 9.00 FEET

**Surface Area:** 16.69 ACRES

**Capacity:** 60.08 ACRE-FEET

**Period of Use:** FEBRUARY 1 TO DECEMBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESE	29	24N	29E	PHILLIPS
2			NESE	29	24N	29E	PHILLIPS
3			NWSE	29	24N	29E	PHILLIPS

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

22372-00

22385-00

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22386-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** JUNE 17, 1946

**Type of Historical Right:** FILED

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSW	28	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNWSW	28	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** FEBRUARY 1 TO DECEMBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESE	29	24N	29E	PHILLIPS
2			SENE	29	24N	29E	PHILLIPS
3			NWSW	28	24N	29E	PHILLIPS
4			SWNW	28	24N	29E	PHILLIPS

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22387-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1959

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF SECOND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSW	8	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNWSW	8	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JUNE 1 TO NOVEMBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWSW	8	24N	29E	PHILLIPS
2			SWNWSW	8	24N	29E	PHILLIPS



**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22388-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1968

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF NORTH COULEE

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESW	27	23N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNESW	27	23N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** MAY 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNESW	27	23N	29E	PHILLIPS
2			SENWSW	27	23N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22390-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1958

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF TANK COULEE

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1	SWNE	2	24N	29E	PHILLIPS

**Period of Diversion:** APRIL 1 TO AUGUST 20

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	SWNE	2	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** APRIL 1 TO AUGUST 20

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2NE	2	24N	29E	PHILLIPS

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM  
BASIN 40E**

**Water Right Number:** 40E 22391-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1944

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF SECOND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	14	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENWSE	14	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 10.00 FEET

**Depth:** 7.00 FEET

**Surface Area:** 4.47 ACRES

**Capacity:** 12.52 ACRE-FEET

THE DAM EXTENDS INTO THE NWNWSE , SEC 14 TWP 24N RGE 29E PHILLIPS COUNTY.

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NWSE	14	24N	29E	PHILLIPS
2			S2SWNE	14	24N	29E	PHILLIPS
3			SESENW	14	24N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22393-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1957

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	26	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSWSW	26	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWSW	26	24N	29E	PHILLIPS
2			NESESE	27	24N	29E	PHILLIPS
3			SENESE	27	24N	29E	PHILLIPS

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM  
BASIN 40E**

**Water Right Number:** 40E 22394-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1938

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSW	35	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNWSW	35	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 12.00 FEET

**Depth:** 9.00 FEET

**Surface Area:** 4.62 ACRES

**Capacity:** 16.63 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSW	35	24N	29E	PHILLIPS
2			NESE	34	24N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22395-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1961

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	35	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSESE	35	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESE	35	24N	29E	PHILLIPS
2			NESE	35	24N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22396-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1939

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF TANK COULEE

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWNE	21	24N	30E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENWNE	21	24N	30E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNE	21	24N	30E	PHILLIPS

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM  
BASIN 40E**

**Water Right Number:** 40E 22398-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1944

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF SECOND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	15	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNWSE	15	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 9.00 FEET

**Depth:** 6.00 FEET

**Surface Area:** 3.87 ACRES

**Capacity:** 9.29 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	15	24N	29E	PHILLIPS
2			S2NESW	15	24N	29E	PHILLIPS
3			N2SESW	15	24N	29E	PHILLIPS



**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22399-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1947

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF SECOND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESE	14	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSESE	14	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWSE	14	24N	29E	PHILLIPS
2			SWSESE	14	24N	29E	PHILLIPS
3			NENWNE	23	24N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22401-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1933

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF FOURCHETTE CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	4	22N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENE	4	22N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENE	4	22N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22402-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1934

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF FOURCHETTE CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWNW	4	22N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENWNW	4	22N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWNW	4	22N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22403-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1933

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF FOURCHETTE CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	28	23N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNWSE	28	23N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSE	28	23N	29E	PHILLIPS
2			NWSWSE	28	23N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22405-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** JUNE 30, 1948

**Type of Historical Right:** FILED

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** TANK COULEE

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	21	24N	30E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM **Reservoir Name:** COTTER RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	21	24N	30E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 11.00 FEET

**Depth:** 8.00 FEET

**Surface Area:** 23.27 ACRES

**Capacity:** 74.46 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	21	24N	30E	PHILLIPS
2			S2SW	16	24N	30E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22406-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1932

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF FOURCHETTE CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	33	23N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSENE	33	23N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSENE	33	23N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22407-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1966

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF FOURCHETTE CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENE	5	22N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENE	5	22N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENE	5	22N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22408-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1965

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF FOURCHETTE CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	33	23N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENESE	33	23N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENESE	33	23N	29E	PHILLIPS



**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22409-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1954

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	20	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSWSE	20	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 31 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSE	20	24N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22410-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1941

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNE	30	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESWNE	30	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNE	30	24N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22411-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1931

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF FOURCHETTE CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	5	22N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNESE	5	22N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNESE	5	22N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22418-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1905

**Type of Historical Right:** FILED

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** TANK COULEE

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	21	24N	30E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM **Reservoir Name:** TANK RESERVOIR SECOND

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	21	24N	30E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 11.00 FEET

**Depth:** 8.00 FEET

**Surface Area:** 23.27 ACRES

**Capacity:** 74.46 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2SW	16	24N	30E	PHILLIPS
2			N2NW	21	24N	30E	PHILLIPS

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM  
BASIN 40E**

**Water Right Number:** 40E 22419-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1956

**Type of Historical Right:** USE

**Purpose (Use):** DOMESTIC

**Flow Rate:** 7.00 GPM

**Volume:** 1.50 AC-FT

**Households:** 1

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENW	33	23N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESENW	33	23N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22420-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1920

**Type of Historical Right:** USE

**Purpose (Use):** DOMESTIC

**Flow Rate:** 15.00 GPM

**Volume:** 1.50 AC-FT

**Households:** 1

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	30	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWSE	30	24N	29E	PHILLIPS

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

22420-00      30160072

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 22421-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1954

**Type of Historical Right:** USE

**Purpose (Use):** DOMESTIC

**Flow Rate:** 10.00 GPM

**Volume:** 1.50 AC-FT

**Households:** 1

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESW	14	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNESW	14	24N	29E	PHILLIPS

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

22421-00      30160073

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM  
BASIN 40E**

**Water Right Number:** 40E 22422-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1949

**Type of Historical Right:** USE

**Purpose (Use):** DOMESTIC

**Flow Rate:** 12.00 GPM

**Volume:** 1.50 AC-FT

**Households:** 1

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNE	14	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWNE	14	24N	29E	PHILLIPS



**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM  
BASIN 40E**

**Water Right Number:** 40E 30288-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1950

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 40.50 AC-FT

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 14.10

**Source Name:** FOURCHETTE CREEK, NORTH FORK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESW	10	23N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESESW	10	23N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 13.00 FEET

**Depth:** 10.00 FEET

**Surface Area:** 21.63 ACRES

**Capacity:** 86.52 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.40		NENENW	15	23N	29E	PHILLIPS
2	4.35		NWNWNE	15	23N	29E	PHILLIPS
3	5.60		SESESW	10	23N	29E	PHILLIPS
4	0.75		SWSWSE	10	23N	29E	PHILLIPS

**Total:** 14.10

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

30288-00

30298-00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM  
BASIN 40E**

**Water Right Number:** 40E 30294-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** SEPTEMBER 30, 1971

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF SECOND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	17	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENE	17	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NE	17	24N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 30302-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** SEPTEMBER 16, 1957

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 5.00 GPM

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESENE	15	23N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESENE	15	23N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 30305-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1961

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESW	27	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESESW	27	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESW	27	24N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 30307-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** JULY 12, 1946

**Type of Historical Right:** FILED

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	34	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNWNW	34	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 11.00 FEET

**Depth:** 8.00 FEET

**Surface Area:** 3.71 ACRES

**Capacity:** 11.87 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2NWNW	34	24N	29E	PHILLIPS
2			E2NENE	33	24N	29E	PHILLIPS

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 30308-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** JULY 31, 1958

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 6.00 GPM

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	23	23N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2NWNE	23	23N	29E	PHILLIPS

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

30285-00      30308-00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM  
BASIN 40E**

**Water Right Number:** 40E 122255-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1939

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** WATER SPREADING

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

**\*Volume:** 259.90 AC-FT

**Climatic Area:** 1 - HIGH

**\*Maximum Acres:** 113.00

**Source Name:** UNNAMED TRIBUTARY OF SECOND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESW	10	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENESW	10	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 11.00 FEET

**Depth:** 8.00 FEET

**Surface Area:** 2.00 ACRES

**Capacity:** 16.00 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	48.00		SW	10	24N	29E	PHILLIPS
2	65.00		N2N2	15	24N	29E	PHILLIPS

**Total:** 113.00

**Remarks:**



THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

122254-00

122255-00

**POST DECREE  
 ABSTRACT OF WATER RIGHT CLAIM  
 MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM  
 BASIN 40E**

**Water Right Number:** 40E 165071-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
 22787 MIDALE RD  
 MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1950

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 52.50 AC-FT

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 35.00

**Source Name:** UNNAMED TRIBUTARY OF SECOND CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	8	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

THE RESERVOIR EXTENDS INTO THE E2NE SEC 7 TWP 24N RGE 29E PHILLIPS COUNTY

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSWNW	8	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 20.00 FEET

**Depth:** 17.00 FEET

**Surface Area:** 19.50 ACRES

**Capacity:** 144.00 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	17.00		NESW	8	24N	29E	PHILLIPS
2	18.00		NWSE	8	24N	29E	PHILLIPS

**Total:** 35.00

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**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

165070-00            165071-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

165068-00            165071-00

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 30160071 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** JUNE 17, 1946

**Type of Historical Right:** FILED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 74.50 AC-FT

THE COMBINED VOLUME OF CLAIMS 40E 22372-00 AND 40E 30160071 SHALL NOT EXCEED 74.50 AC-FT.

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 52.00

**Source Name:** UNNAMED TRIBUTARY OF THIRD CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSW	28	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

THE DAM EXTENDS INTO THE W2SWSW , SEC 29 TWP 24N RGE 29E PHILLIPS COUNTY.

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNWSW	28	24N	29E	PHILLIPS

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 12.00 FEET

**Depth:** 9.00 FEET

**Surface Area:** 11.53 ACRES

**Capacity:** 41.51 ACRE-FEET

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	13.00		NWSW	28	24N	29E	PHILLIPS

2	34.00	SWSW	28	24N	29E	PHILLIPS
3	5.00	SESW	28	24N	29E	PHILLIPS
<b>Total:</b>	<u>52.00</u>					

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**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

22386-00            30160071

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 30160072 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1920

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 15.00 GPM

**Volume:** 1.50 AC-FT

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	30	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWSE	30	24N	29E	PHILLIPS

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

22420-00      30160072

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM**  
**BASIN 40E**

**Water Right Number:** 40E 30160073 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Status:** ACTIVE

**Owners:** VESETH & VESETH LIVESTOCK CO  
22787 MIDALE RD  
MALTA, MT 59538

**Priority Date:** DECEMBER 31, 1954

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 10.00 GPM

**Volume:** 1.50 AC-FT

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESW	14	24N	29E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNESW	14	24N	29E	PHILLIPS

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

22421-00      30160073