Montana Water Court PO Box 1389 Bozeman, MT 59771-1389 1-800-624-3270 (406) 586-4364 watercourt@mt.gov FILEED 02/09/2024 Sara Calkins CLERK Montana Water Court STATE OF MONTANA By: <u>D'Ann CIGLER</u> 40E-0017-R-2022 Ostrem, Eyvind 20.00

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

CLAIMANTS:	Veseth & Veseth Livestock Co.; Martin	
	Sandvick	

OBJECTOR: Veseth & Veseth Livestock Co.

CASE 40E-001/-K-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						

CASE 40E-0017-R-2022

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. <u>Please review this report carefully.</u>

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)¹ ("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

¹ "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. <u>40E 22372-00</u>

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 W/	ATER						
Source Name:	UNNAMED TRIBU	ITARY OF THIS	ID CRE	EK				
Source Type:	SURFACE W	ATER						
Point of Diversion and Means of Diversion:								
<u>m</u> 1	Govt Lot	Otr Sec NESESE	<u>Sec</u> 29	<u>Twp</u> 24N	Rge 29E	County PHILLIPS		
Period of Diversion:	JANUARY 1 TO DE	CEMBER 31						
Diversion Means:	DAM							
2		NWNWSW	28	24N	20E	PHILLIPS		
Period of Diversion:	JANUARY 1 TO DECEMBER 31							
Diversion Means:	DAM							
Reservoir: ONST	TREAM							

	Govt Lot	Otr Sec NESESE	<u>Sec</u> 29	<u>Twp</u> 24N		County PHILLIPS
Diversion to Reservoir:	DIVERSION # 1					
Dam Height:	12.00 FEET					
Depth:	9.00 FEET					
Surface Area:	16.69 ACRES					
Capacity:	60.08 ACRE-FEE	Т				
Reservoir: ONSTRE	AM					
	Govt Lot	<u>Otr Sec</u> NWNWSW	<u>Sec</u> 28	<u>Twp</u> 24N		<u>County</u> PHILLIPS
Diversion to Reservoir:	DIVERSION # 2					
Dom Height:	12.00 FEET					
Depth:	9.00 FEET					
Surface Area:	11.53 ACRES					
Capacity:	41.51 ACRE FEE	Ŧ				
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:

Perio	<u>Qtr Sec</u> NWNWSW ce Name: d of Diversion: sion Means:	28 UNN	AMED JARY 1	29E TRIBU	County PHILLIPS TARY OF THIRD CREEK CEMBER 31
Reservoir: O	NSTREAM <u>Qtr Sec</u> NWNWSW	<u>Sec</u> 28	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Dam Deptl	ce Area:	12.00 9.00 F 11.53	FEET	5	
	HE DAM EXTENI 9E PHILLIPS.	OS INI	TO THE	W2SV	VSW, SEC 29 TWP 24N RGE

An informational remark should be added to the claim, stating: <u>"The combined</u> volume of claims 40E 22372-00 and 40E 30160071 shall not exceed 74.50 AC-FT." <u>40E 22374-00</u>

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.

<u>40E 22379-00</u>

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:						
D	Qtr Sec	Sec	Twp	Rge	County	
1	NENENW				PHILLIPS	
		21				

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:					
ID	Qtr Sec	Sec	Twp	Rge	County
1	SESE	29	24N	29E	PHILLIPS
<u>2</u>	NESE	29	<u>24N</u>	<u>29E</u>	PHILLIPS
<u>3</u>	NWSE	29	<u>24N</u>	<u>29E</u>	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 TOTHE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ONTHIS 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:					
ID	Qtr Sec	Sec	Twp	Rge	County
1	NESE	29	24N	29E	PHILLIPS
2	SENE	29	<u>24N</u>	<u>29E</u>	PHILLIPS
<u>3</u>	NWSW	28	<u>24N</u>	<u>29E</u>	PHILLIPS
4	SWNW	28	<u>24N</u>	<u>29E</u>	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:²

Reservoir

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

² 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.

<u>40E 22387-00</u>

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:

1	NWSWSW	8	24N	29E	PHILLIPS
2	<u>SWNWSW</u>	8	<u>24N</u>	<u>29E</u>	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 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>	Qtr Sec	Sec	Twp	Rge	County
1	SWNESW	27	23N	29E	PHILLIPS
2	SENWSW	27	<u>23N</u>	<u>29E</u>	PHILLIPS

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

<u>40E 22390-00</u>

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.³

Point of Diversion and Reservoir:

<u>ID</u> 1	<u>Govt Lot</u> 1	<u>Qtr Sec</u> SWNESE SWNE	<u>Sec</u> 2	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Place of	of Use:					
<u>ID</u> 1	<u>Govt Lot</u> 1	<u>Qtr Sec</u> SWNESE W2NE	<u>Sec</u> 2	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> 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:					
ID	Qtr Sec	Sec	Twp	Rge	County
1	NENENW	14	24N	29E	PHILLIPS
	N2NWSE				
2	SWSWNE	14	24N	29E	PHILLIPS
	S2SWNE				
<u>3</u>	SESENW	<u>14</u>	<u>24N</u>	<u>29E</u>	PHILLIPS

The claim also received the following Notice Only Remarks:

³ 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 TOTHE 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 <u>40E 22393-00</u>

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: <u>May 1 to November 30</u> <u>January 1 to December 31</u> Place of Use:

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

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: <u>May 1 to November 30-January 1 to December 31</u> Period of Use: <u>May 1 to November 30</u> January 1 to December 31 Place of Use:

ID	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	NWSW	35	24N	29E	PHILLIPS
<u>2</u>	NESE	<u>34</u>	<u>24N</u>	<u>29E</u>	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>	Govt Lot	Qtr Sec	Sec	Twp	Rge	<u>County</u>
1			SESE ⁴	35	24N	29E	Phillips
<u>2</u>			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:

⁴ 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.

IDQtr SecSecTwpRgeCounty1SENWNE2124N30EPHILLIPSNENWNE

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 Diversio	n: API	RIL 1 TO	AUGU	ST 31			
	JAN	UARY 1	I TO DE	ECEMB	ER 31		
Period of Use:		APRIL 1 TO AUGUST 31 JANUARY 1 TO DECEMBER 31					
Place of Use: <u>ID</u>	Qtr Sec	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>		

1	SE	15	24N	29E	PHILLIPS
2	S2NESW	15	<u>24N</u>	<u>29E</u>	PHILLIPS
<u>3</u>	N2SESW	15	<u>24N</u>	<u>29E</u>	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>	Qtr Sec	Sec	Twp	Rge	County
1	SESWSE	14	24N	29E	PHILLIPS
<u>2</u>	SWSESE	14	<u>24N</u>	<u>29E</u>	PHILLIPS
<u>3</u>	NENWNE	23	<u>24N</u>	<u>29E</u>	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:

ID	Qtr Sec	Sec	Twp	Rge	County
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

T face of Use.					
ID	Qtr Sec	Sec	Twp	Rge	County
1	SENE	4			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

Place of Use

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:

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

ID	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1			NW	21	24N	30E	Phillips
<u>2</u>			S2SW	<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> 1	1 NESENE			<u>Rge</u> 29E	<u>County</u> PHILLIPS			
Reservoir: ON	NENE ISTREAM <u>Qtr Sec</u> NESENE	5 <u>Sec</u> 4	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
Place of Use: <u>ID</u> 1	NENE <u>Otr Sec</u> NESENE NENE	5 <u>Sec</u> 4 5	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>Countv</u> PHILLIPS			

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.

<u>40E 22409-00</u>

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.

<u>40E 22410-00</u>

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

<u>40E 22411-00</u>

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 Diversio		7 1 TO 1 UARY 1	·• · L	DLICU	•				
Period of Use:		MAY 1 TO NOVEMBER 30 JANUARY 1 TO DECEMBER 31							
Place of Use:									
ID	Qtr Sec	Sec	Twp	Rge	County				
1	SW	16	24N	30E	PHILLIPS				
2	S2SW <u>N2NW</u>	<u>21</u>	<u>24N</u>	<u>30E</u>	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.

<u>40E 22420-00</u>

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:

<u>40E 30160072 (implied from 40E 22420-00)</u>

Purpose: <u>Stock</u>

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:

<u>40E 30160073 (implied from 40E 22421-00)</u>

Purpose: <u>Stock</u>

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:

Maximum A Place of Use		9.00 14.10				
ID	Acres	Qtr Sec	Sec	Twp	Rge	County
1	3.40	NENENW	15	23N	29E	PHILLIPS
2	4.35	NWNWNE	15	<u>23N</u>	<u>29E</u>	PHILLIPS
3	5.60	SESESW	10	23N	29E	PHILLIPS
<u>4</u>	0.75	SWSWSE	10	<u>23N</u>	<u>29E</u>	PHILLIPS
Total	: 9.00					
	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>	Qtr Sec	Sec	Twp	Rge	County
1	NENE	17	24N	29E	PHILLIPS
	N2NE				

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:

<u>40E 30302-</u>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:					
ID	Qtr Sec	Sec	Twp	Rge	County
1	E2SESW	27	24N	29E	PHILLIPS
	SESW				

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:					
ID	Qtr Sec	Sec	Twp	Rge	County
1	W2NWNW	34	24N	29E	PHILLIPS
<u>2</u>	E2NENE	<u>33</u>	<u>24N</u>	<u>29E</u>	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:								
Μ								
Sec	Twp	Rge	County					
8	24N	29E	PHILLIPS					
DIVI	ERSION	#1						
12.00) FEET	20.00	FEET					
10.00) FEET	17.00	FEET					
	8 DIVI 12.00	Sec <u>Twp</u> 8 24N DIVERSION 12.00 FEET	Sec 8 Twp 24N Rge 29E DIVERSION # 1 1 12.00 FEET 20.00	SecTwpRgeCounty824N29EPHILLIPS				

Surface Area:12.70 ACRES19.50 FEETCapacity:50.60 ACRE-FEET144.00 ACRE-FEETTHE 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

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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

ABSTRACT OF WATER RIGHT CLAIM

Water Right I	Number:	40E 22372	-00 STATE	EMENT O	F CLA	M		
		Version:	3 POST	DECREE				
			Status:	ACTIVE				
Owners:		VESETH & 22787 MID MALTA, MT		VESTOC	< CO			
Priority Date:		JUNE 17, 1	946					
Type of Histor	rical Right:	FILED						
Purpose (Use)	:	IRRIGATIO	N					
Irrigatio	n Type:	FLOOD						
Flow Rate:			C FLOW RA		IOT BE	EN DEC	REED	FOR THIS USE FROM THIS
Volume:		74.50 AC-F						
			BINED VOLU 4.50 AC-FT.	IME OF C	LAIMS	40E 223	372-00 /	AND 40E 30160071 SHALL NOT
Climatic	Area:	1 - HIGH						
Maximum Acı	res:	52.00						
Source Name:		THIRD CR	EEK					
Source Type	:	SURF	ACE WATEF	ર				
Point of Divers	sion and Mean	s of Diversion	:					
<u>ID</u> 1		<u>Govt Lo</u>		<u>)tr Sec</u> SESE	<u>Sec</u> 29	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Period of D	Diversion:	JANUARY	1 TO DECEN	MBER 31				
Diversion N	Means:	DAM						
Reservoir:		ONSTREA	N					
		<u>Govt Lo</u>		<u>)tr Sec</u> SESE	<u>Sec</u> 29	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Div	ersion to Reser	rvoir: DIVER	SION # 1					
Dai	m Height:		12.00 FEET					
Dep	oth:		9.00 FEET					
Sur	face Area:		16.69 ACRE	S				
Caj	pacity:		60.08 ACRE					
Period of Use:		JANUARY	1 TO DECEN	MBER 31				
Place of Use:								
<u>ID</u>	<u>Acre</u>			<u>)tr Sec</u>	Sec	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1 2	13.00 34.00			IWSW SWSW	28 28	24N 24N	29E 29E	PHILLIPS PHILLIPS
2	34.00	0	3	00000	20	24IN	29E	FIILLIFO

3		5.00	SESW	28	24N	29E	PHILLIPS
	Total:	52.00					

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

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22374-00	STATEMENT O	F CLA	IM					
	Version: 3	POST DECREE							
	Stat	us: ACTIVE							
Owners:	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD MALTA, MT 59538								
Priority Date:	DECEMBER 31,	DECEMBER 31, 1947							
Type of Historical Right:	USE								
Purpose (Use):	IRRIGATION								
Irrigation Type:	WATER SPREAD	DING							
Flow Rate:	A SPECIFIC FLC OF DIRECT FLO				CREED I	BECAUSE THIS USE CONSISTS			
Volume:	98.90 AC-FT								
Climatic Area:	1 - HIGH	1 - HIGH							
Maximum Acres:	43.00								
Source Name:	THIRD CREEK								
Source Type:	SURFACE V	WATER							
Point of Diversion and Mean	s of Diversion:								
ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>			
1		NWNWNW	29	24N	29E	PHILLIPS			
Period of Diversion:	JANUARY 1 TO	DECEMBER 31							
Diversion Means:	DIVERSION DAM	Л							
2		SWSENW	29	24N	29E	PHILLIPS			
Period of Diversion:	JANUARY 1 TO	DECEMBER 31							
Diversion Means:	DIVERSION DAM	Л							
Period of Use:	JANUARY 1 TO	DECEMBER 31							
Place of Use:									
<u>ID</u> <u>Acre</u>		<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	County			
1 14.0		NWNW	29	24N	29E	PHILLIPS			
2 20.00 3 9.00		SWNW	29 20	24N	29E	PHILLIPS			
3 9.00 Total: 43.00	_	SENW	29	24N	29E	PHILLIPS			
	•								

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	Water Right Number: 40E 22375-00 STATEMENT OF CLAIM								
	Version: 3	POST DECREE	Ξ						
	St	atus: ACTIVE							
Owners:	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD MALTA, MT 59538								
Priority Date:	DECEMBER 3	DECEMBER 31, 1945							
Type of Historical Right:	USE								
Purpose (Use):	IRRIGATION								
Irrigation Type:	WATER SPRE	ADING							
Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.								
Volume:	50.60 AC-FT	50.60 AC-FT							
Climatic Area:	1 - HIGH								
Maximum Acres:	22.00								
Source Name:	SECOND CRE	EK							
Source Type:	SURFACE	WATER							
Point of Diversion and Mean	s of Diversion:								
ID	Govt Lot	<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>Acre</u>	es <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>			
1 3.0	0	NESWSE	8	24N	29E	PHILLIPS			
2 7.0	0	NWSESE	8	24N	29E	PHILLIPS			
3 7.0	0	E2SESE	8	24N	29E	PHILLIPS			
45.0	-	SWSESE	8	24N	29E	PHILLIPS			
Total: 22.0	0								

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22377-00 STATEMENT OF C	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 Mean	of Diversion:							
ID	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u>	<u>ec Twp Rge 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>Acr</u>	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u>	<u>ec Twp Rge County</u>						
1 3.0	NWNWNW 3	3 22N 29E PHILLIPS						
2 3.0		3 22N 29E PHILLIPS						
3 3.0		3 22N 29E PHILLIPS						
4 2.0	-	34 23N 29E PHILLIPS						
Total: 11.0								

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22378-00	STATEMENT C	OF CLA	IM					
	Version: 3 POST DECREE								
	Sta	tus: 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 SPREA	DING							
Flow Rate:	A SPECIFIC FLO ONSTREAM RE		NOT BE	EEN DEC	CREED	FOR THIS USE FROM THIS			
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:								
ID	Govt Lot	<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> NESENW	<u>Sec</u> 33	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
Diversion to Reservoir: DIVERSION # 1									
Period of Use:	FEBRUARY 1 T	O OCTOBER 31							
Place of Use:									
ID <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>			
		05104	~~	0011	00 -				
1 7.00 2 3.00	1	SENW SWNE	33 33	23N 23N	29E 29E	PHILLIPS PHILLIPS			

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM BASIN 40E

Water Right Number:	40E 22379-00	STATEMENT C	F CLA	IM				
	Version: 3	POST DECREE						
	St	atus: ACTIVE						
Owners:	VESETH & VE	SETH LIVESTOC	ксо					
	22787 MIDALE RD							
	MALTA, MT 59	9538						
Priority Date:	DECEMBER 3	1, 1956						
Type of Historical Right:	USE							
Purpose (Use):	IRRIGATION							
Irrigation Type:	WATER SPRE	ADING						
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	1 - HIGH						
Maximum Acres:	17.50							
Source Name:	NORTH COULEE							
Source Type:	SURFACE WATER							
Point of Diversion and Means	of Diversion:							
ID	Govt Lot	<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:								
ID Acres	<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		

Total: 17.50

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22382	00 STATEMENT	OF CLA	IM				
	Version:	3 POST DECRE	E					
		Status: ACTIVE	Ē					
Owners:	22787 MIDA	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD MALTA, MT 59538						
Priority Date:	DECEMBER	R 31, 1948						
Type of Historical Right:	USE	USE						
Purpose (Use):	STOCK	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> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> SENWNW	<u>Sec</u> 24	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS		
Period of Diversion:	JANUARY 1	TO DECEMBER 3	31					
Diversion Means:	WELL							
Period of Use:	JANUARY 1	TO DECEMBER 3	31					
Place of Use:								
<u>ID Acr</u> 1	r <u>es</u> <u>Govt Lot</u>	<u>Qtr Sec</u> SENWNW	<u>Sec</u> 24	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS		

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22383	- 00 STA ⁻	TEMENT O	F CLAI	М			
	Version:	3 POS ⁻	T DECREE					
		Status:	ACTIVE					
Owners:	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD MALTA, MT 59538							
Priority Date:	DECEMBE	R 31, 1939	1					
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> 1	<u>Govt Lo</u>	-	<u>Qtr Sec</u> ENWSE	<u>Sec</u> 33	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS	
Period of Diversion:	JANUARY	TO DECE	EMBER 31					
Diversion Means:	WELL							
Period of Use:	JANUARY	TO DECE	EMBER 31					
Place of Use:								
<u>ID Acre</u> 1	<u>s Govt Lo</u>		<u>Qtr Sec</u> ENWSE	<u>Sec</u> 33	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS	

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22384-0	0 STATEMENT C	OF CLA	IM				
	Version:	POST DECREE	Ē					
	S	Status: ACTIVE						
Owners:	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD MALTA, MT 59538							
Priority Date:	DECEMBER	31, 1960						
Type of Historical Right:	USE	USE						
Purpose (Use):	STOCK	STOCK						
Flow Rate:	8.00 GPM	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> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NENENW	<u>Sec</u> 21	<u>Twp</u> 24N	<u>Rge</u> 30E	<u>County</u> PHILLIPS		
Period of Diversion:		TO DECEMBER 31						
Diversion Means:	WELL							
Period of Use:	JANUARY 1	TO DECEMBER 31						
Place of Use:								
<u>ID Acr</u> 1	<u>es Govt Lot</u>	<u>Qtr Sec</u> NENENW	<u>Sec</u> 21	<u>Twp</u> 24N	<u>Rge</u> 30E	<u>County</u> PHILLIPS		

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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 CLA	IM				
8		POST DECREI						
	St	atus: ACTIVE						
Owners:	VESETH & VE 22787 MIDALE MALTA, MT 59	SETH LIVESTOC RD	КСО					
Priority Date:	JUNE 17, 1946	3						
Type of Historical Right:	FILED							
Purpose (Use):	STOCK							
Flow Rate:	ONSTREAM R		E FLOW	RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.		
Volume:	STOCK WATE UNIT. ANIMAL	RING PURPOSE UNITS SHALL B	S AT THE BASE	HE RATE	E OF 30 EASON	DNSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.		
Source Name:	THIRD CREEK	< Comparison of the second sec						
Source Type:	SURFACE	EWATER						
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>	County		
1		NESESE	29	24N	29E	PHILLIPS		
Period of Diversion:		TO DECEMBER	15					
Diversion Means:								
Reservoir:	COUNTY.	ENDS INTO THE	: W2SW	/SW, SE	:C 29 TV	WP 24N RGE 29E PHILLIPS		
	<u>Govt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 29	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS		
Diversion to Reserv	voir: DIVERSIC	DN # 1						
Dam Height:	12.	DO FEET						
Depth:	9.	DO FEET						
Surface Area:	16.	69 ACRES						
	60.08 ACRE-FEET							
Capacity:	60.0	J8 ACRE-FEET						
Capacity: Period of Use:		TO DECEMBER	15					
			15					

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

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM BASIN 40E

Water Right Number:	40E 22386	-00 STATEMENT	OF CLA	IM							
	Version:	3 POST DECRE	E								
		Status: ACTIVE	E								
Owners:	VESETH & 22787 MID MALTA, MT		CK CO								
Priority Date:	JUNE 17, 1	946									
Type of Historical Right:	FILED										
Purpose (Use):	STOCK	STOCK									
Flow Rate:	ONSTREA		IE FLOW	/ RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.					
Volume:	STOCK WA	TERING PURPOSE	ES AT TI BE BASE	HE RATI ED ON R	E OF 30 EASON	NSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.					
Source Name:	UNNAMED	TRIBUTARY OF TH	HIRD CR	EEK							
Source Type:	SURF	SURFACE WATER									
Point of Diversion and Mean	s of Diversion	:									
<u>ID</u>	<u>Govt Lo</u>	t <u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	County					
1		NWNWSW	28	24N	29E	PHILLIPS					
Period of Diversion:	JANUARY	1 TO DECEMBER 3	51								
Diversion Means:	DAM										
Reservoir:	ONSTREA	N									
	<u>Govt Lo</u>		<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>					
Diversion to Rese		NWNWSW	28	24N	29E	PHILLIPS					
			15								
Period of Use: Place of Use:	FEDRUAR	1 TO DECEMBER	15								
ID Acro	es <u>Govt Lo</u>	t <u>Otr 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.

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 223	40E 22387-00 STATEMENT OF CLAIM								
	Version:	3 POS	T DECREE							
		Status:	ACTIVE							
Owners:	22787 M	& VESETH I DALE RD MT 59538	LIVESTOCI	КСО						
Priority Date:	DECEME	ER 31, 1959)							
Type of Historical Right:	USE									
Purpose (Use):	STOCK	STOCK								
Flow Rate:	ONSTRE	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:	STOCK V UNIT. AN	VATERING F	PURPOSES SHALL BE	S AT TH E BASE	HE RATE	EOF 30 EASON/	NSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.			
Source Name:	UNNAME	UNNAMED TRIBUTARY OF SECOND CREEK								
Source Type:	SUF	FACE WATE	ER							
Point of Diversion and M	leans of Diversion	n:								
ID	<u>Govt </u>	<u>_ot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>			
1		SV	VNWSW	8	24N	29E	PHILLIPS			
Period of Diversion:	JANUAR	Y 1 TO DEC	EMBER 31							
Diversion Means:	DAM									
Reservoir:	ONSTRE	AM								
	<u>Govt</u>		<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>			
Diversion to R	Reservoir: DIVI		VNWSW	8	24N	29E	PHILLIPS			
Period of Use:			ED 15							
	JUNE I		EK 15							
Place of Use:		- ,		a	T	n				
<u>ID</u> <u>4</u>	<u>Acres</u> <u>Govt</u>		<u>Qtr Sec</u> VSWSW	<u>Sec</u> 8	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
2			VNWSW	8	24N	29E	PHILLIPS			
_				•						

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22388-00 STATEMENT OF CLAIM									
	Version:	3 POST DECREE	E							
		Status: ACTIVE								
Owners:	VESETH & V 22787 MIDA MALTA, MT		K CO							
Priority Date:	DECEMBER	31, 1968								
Type of Historical Right:	USE									
Purpose (Use):	STOCK	STOCK								
Flow Rate:	ONSTREAM	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:	STOCK WA UNIT. ANIM	TERING PURPOSES	S AT TI E BASE	HE RATE ED ON R	E OF 30 EASON	ONSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.				
Source Name:	UNNAMED	UNNAMED TRIBUTARY OF NORTH COULEE								
Source Type:	SURFA	CE WATER								
Point of Diversion and Me	ans of Diversion:									
ID	<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	l								
	<u>Govt Lot</u>	<u>Qtr Sec</u> SWNESW	<u>Sec</u> 27	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS				
Diversion to Re	servoir: DIVER	SION # 1								
Period of Use:	MAY 1 TO N	IOVEMBER 30								
Place of Use:										
	eres <u>Govt Lot</u>		Sec	<u>Twp</u>	<u>Rge</u>	<u>County</u>				
1 2		SWNESW SENWSW	27 27	23N 23N	29E 29E	PHILLIPS PHILLIPS				
۷.		JLINV JV	21	ZUN	29E					

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40)E 22390-00	STATEMENT (OF CLA	IM				
	Ve	ersion: 3	POST DECRE	Ξ					
		Stat	us: ACTIVE						
Owners:	22	ESETH & VESE 2787 MIDALE R ALTA, MT 5953	D	K CO					
Priority Date:	DI	ECEMBER 31,	1958						
Type of Historical Righ	nt: US	SE							
Purpose (Use):	ST	STOCK							
Flow Rate:	O	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:	ST UI	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:	U	UNNAMED TRIBUTARY OF TANK COULEE							
Source Type:		SURFACE V	VATER						
Point of Diversion and	Means of 1	Diversion:							
ID		Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>		
1		1	SWNE	2	24N	29E	PHILLIPS		
Period of Diversion:	: Af	PRIL 1 TO AUG	SUST 20						
Diversion Means:	D	AM							
Reservoir:	O	NSTREAM							
		<u>Govt Lot</u> 1	<u>Qtr Sec</u> SWNE	<u>Sec</u> 2	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS		
Diversion to	Reservoir	r: DIVERSION	# 1						
Period of Use:	AF	PRIL 1 TO AUG	UST 20						
Place of Use:									
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u> W2NE	<u>Sec</u> 2	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS		

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POST DECREE

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM BASIN 40E

Water Right Number:	40E 22391-0	D STATEMENT	OF CLA	IM					
-	Version: 3	POST DECREI	E						
	8	status: ACTIVE							
Owners:	VESETH & VI 22787 MIDAL MALTA, MT 5		CK CO						
Priority Date:	DECEMBER	31, 1944							
Type of Historical Right:	USE								
Purpose (Use):	STOCK								
Flow Rate:	ONSTREAM I		E FLOW	RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.			
Volume:	STOCK WATI UNIT. ANIMA	ERING PURPOSE L UNITS SHALL B	S AT THE BASE	HE RATE ED ON R	E OF 30 EASON	ONSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.			
Source Name:	UNNAMED TI	RIBUTARY OF SE	COND	CREEK					
Source Type:	SURFAC	E WATER							
Point of Diversion and Means of Diversion:									
ID	<u>Govt Lot Otr Sec Sec Twp Rge County</u>								
1 Period of Diversion:		NENWSE O DECEMBER 3	14	24N	29E	PHILLIPS			
		O DECEMBER 3	I						
Diversion Means:									
Reservoir:	ONSTREAM	Otr See	See	Т	Dee	Country			
	<u>Govt Lot</u>	<u>Qtr Sec</u> NENWSE	<u>Sec</u> 14	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
Diversion to Reser	voir: DIVERSI	_							
Dam Height:	10	.00 FEET							
Depth:	7	.00 FEET							
Surface Area:	4	.47 ACRES							
Capacity:	12	.52 ACRE-FEET							
	THE DAM EX COUNTY.	TENDS INTO THE	E NWNV	VSE , SE	C 14 TV	VP 24N RGE 29E PHILLIPS			
Period of Use:	JANUARY 1 1	O DECEMBER 31	1						
Place of Use:									
<u>ID</u> <u>Acre</u> 1 2	<u>s Govt Lot</u>	<u>Qtr Sec</u> N2NWSE S2SWNE	<u>Sec</u> 14 14	<u>Twp</u> 24N 24N	<u>Rge</u> 29E 29E	<u>County</u> PHILLIPS PHILLIPS			

SESENW

14

24N

29E

PHILLIPS

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22393	00 STATEME	NT OF CLA	AIM						
	Version:	3 POST DEC	REE							
		Status: ACT	IVE							
Owners:	VESETH & 22787 MIDA MALTA, MT		ГОСК СО							
Priority Date:	DECEMBE	R 31, 1957								
Type of Historical Right:	USE									
Purpose (Use):	STOCK	STOCK								
Flow Rate:	ONSTREAM		THE FLOW	V RATE I	IS LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.				
Volume:	STOCK WA UNIT. ANIM	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 CF	REEK						
Source Type:	SURF	SURFACE WATER								
Point of Diversion and Mea	ns of Diversion:									
ID	Govt Lot	Qtr S	<u>ec Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>				
1		NWSWS		24N	29E	PHILLIPS				
Period of Diversion:		TO DECEMBE	R 31							
Diversion Means:	DAM									
Reservoir:	ONSTREAM	Λ								
	<u>Govt Lot</u>	<u>Qtr S</u> NWSWS		<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS				
Diversion to Res	ervoir: DIVER	SION # 1								
Period of Use:	JANUARY 1	TO DECEMBE	R 31							
Place of Use:										
<u>ID</u> <u>Ac</u>	res <u>Govt Lot</u>	Qtr S	ec <u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>				
1		NWSWS		24N	29E	PHILLIPS				
2		NESES		24N	29E	PHILLIPS				
3		SENES	E 27	24N	29E	PHILLIPS				

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22394-0	0 STATEMENT C	OF CLA	IM						
	Version:	3 POST DECREE								
		Status: ACTIVE								
Owners:	VESETH & V 22787 MIDAL MALTA, MT {		КСО							
Priority Date:	DECEMBER	31, 1938								
Type of Historical Right:	USE									
Purpose (Use):	STOCK	STOCK								
Flow Rate:	ONSTREAM	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:	STOCK WAT UNIT. ANIMA	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 T	RIBUTARY OF THI	RD CR	EEK						
Source Type:	SURFACE WATER									
Point of Diversion and Mean	int of Diversion and Means of Diversion:									
ID	<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:		TO DECEMBER 31								
Diversion Means:	DAM									
Reservoir:	ONSTREAM									
	<u>Govt Lot</u>	<u>Qtr Sec</u> SWNWSW	<u>Sec</u> 35	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS				
Diversion to Reser	voir: DIVERS		55	24N	296	FHILLIF S				
Dam Height:	12	2.00 FEET								
Depth:		9.00 FEET								
Surface Area:	2	4.62 ACRES								
Capacity:	16	6.63 ACRE-FEET								
Period of Use:	JANUARY 1	TO DECEMBER 31								
Place of Use:										
ID Acre 1 2	<u>s Govt Lot</u>	<u>Qtr Sec</u> NWSW NESE	<u>Sec</u> 35 34	<u>Twp</u> 24N 24N	<u>Rge</u> 29E 29E	<u>County</u> PHILLIPS PHILLIPS				

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	Vater Right Number: 40E 22395-00 STATEMENT OF CLAIM								
	Version:	3 POST DE	CREE						
		Status: AC	TIVE						
Owners:	VESETH & 22787 MID MALTA, M		стоск со						
Priority Date:	DECEMBE	R 31, 1961							
Type of Historical Right:	USE								
Purpose (Use):	STOCK	STOCK							
Flow Rate:	ONSTREA	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:	STOCK W/ UNIT. ANIN	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 CR	THIRD CREEK							
Source Type:	SURF	ACE WATER							
Point of Diversion and Mea	ns of Diversion	:							
ID	<u>Govt Lo</u>	t <u>Qtr</u>	<u>Sec</u> <u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>			
1		NWSE	SE 35	24N	29E	PHILLIPS			
Period of Diversion:	JANUARY	1 TO DECEMB	ER 31						
Diversion Means:	DAM								
Reservoir:	ONSTREA	М							
	<u>Govt Lo</u>	t <u>Qtr</u> NWSE		<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
Diversion to Res	ervoir: DIVEF	RSION # 1							
Period of Use:	JANUARY	1 TO DECEMB	ER 31						
Place of Use:									
	<u>res <u>Govt Lo</u></u>	•		<u>Twp</u>	<u>Rge</u>	<u>County</u>			
1			SE 35	24N	29E	PHILLIPS			
2		NE	SE 35	24N	29E	PHILLIPS			

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:		40E 22396-	00 STA		OF CLA	IM				
		Version:	3 POS	T DECREE	Ē					
			Status:	ACTIVE						
Owners:		VESETH & \ 22787 MIDA MALTA, MT	LE RD	LIVESTOC	КСО					
Priority Date:		DECEMBER	31, 1939	9						
Type of Historical Righ	ıt:	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:		SURFA	CE WAT	ER						
Point of Diversion and	Means o	of Diversion:								
ID		<u>Govt Lot</u>		<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	County		
1				IENWNE	21	24N	30E	PHILLIPS		
Period of Diversion:	:	JANUARY 1	TO DEC	EMBER 31						
Diversion Means:		DAM								
Reservoir:		ONSTREAM								
		<u>Govt Lot</u>	N	<u>Qtr Sec</u> IENWNE	<u>Sec</u> 21	<u>Twp</u> 24N	<u>Rge</u> 30E	<u>County</u> PHILLIPS		
Diversion to	Reserv	oir: DIVERS	SION # 1							
Period of Use:		JANUARY 1	TO DEC	EMBER 31						
Place of Use:										
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>		<u>Qtr Sec</u> NWNE	<u>Sec</u> 21	<u>Twp</u> 24N	<u>Rge</u> 30E	<u>County</u> PHILLIPS		

2

3

POST DECREE

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM BASIN 40E

	40E 22398-0	O STATEMENT	OF CLA	IM						
	Version: 3	3 POST DECRE	Ē							
	S	Status: ACTIVE								
Owners:	VESETH & VI 22787 MIDAL MALTA, MT 5		КСО							
Priority Date:	DECEMBER	31, 1944								
Type of Historical Right:	USE									
Purpose (Use):	STOCK	STOCK								
Flow Rate:	ONSTREAM	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:	STOCK WAT UNIT. ANIMA	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 T	RIBUTARY OF SE	COND	CREEK						
Source Type:	SURFAC	SURFACE WATER								
Point of Diversion and Means of Diversion:										
ID	<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:		TO DECEMBER 31								
Keservoir:			a	m	n					
	<u>Govt Lot</u>					<u>County</u>				
			15	24N	29F	PHILLIPS				
Diversion to Re	servoir: DIVERSI	SWNWSE ION # 1	15	24N	29E	PHILLIPS				
			15	24N	29E	PHILLIPS				
Diversion to Re Dam Height: Depth:	9	ION # 1	15	24N	29E	PHILLIPS				
Dam Height:	9	ION # 1 0.00 FEET	15	24N	29E	PHILLIPS				
Dam Height: Depth:	9 6 3	ION # 1 0.00 FEET 6.00 FEET	15	24N	29E	PHILLIPS				
Dam Height: Depth: Surface Area:	9 6 3 9	ION # 1 9.00 FEET 9.00 FEET 9.87 ACRES	-	24N	29E	PHILLIPS				
Dam Height: Depth: Surface Area: Capacity:	9 6 3 9	ION # 1 0.00 FEET 6.00 FEET 6.87 ACRES 0.29 ACRE-FEET	-	24N	29E	PHILLIPS				
Diversion Means: Reservoir:	DAM ONSTREAM <u>Govt Lot</u>	Qtr Sec	Sec	<u>Twp</u>	<u>Rge</u>	<u>County</u>				

S2NESW

N2SESW

15 24N

24N

15

29E

29E

PHILLIPS

PHILLIPS

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22399-0	0 STATEMENT C	OF CLA	IM					
	Version:	POST DECREE							
	5	Status: ACTIVE							
Owners:	VESETH & V 22787 MIDAL MALTA, MT {		КСО						
Priority Date:	DECEMBER	31, 1947							
Type of Historical Right:	USE								
Purpose (Use):	STOCK								
Flow Rate:	ONSTREAM		FLOW	RATE I	S LIMITI	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.			
Volume:	STOCK WAT UNIT. ANIMA	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 T	RIBUTARY OF SEC	COND	CREEK					
Source Type:	SURFAC	SURFACE WATER							
Point of Diversion and Mea	ns 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:		TO DECEMBER 31							
Diversion Means:	DAM								
Reservoir:	ONSTREAM								
	<u>Govt Lot</u>	<u>Qtr Sec</u> SWSESE	<u>Sec</u> 14	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
Diversion to Res	ervoir: DIVERS	ON # 1							
Period of Use:	JANUARY 1	TO DECEMBER 31							
Place of Use:									
ID Acr	res <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			

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	4	0E 22401-00	STATEMENT C	OF CLA	IM		
-	V	version: 3	POST DECREE	-			
		St	atus: ACTIVE				
Owners:	2	/ESETH & VE 2787 MIDALE IALTA, MT 59		КСО			
Priority Date:	D	ECEMBER 3	1, 1933				
Type of Historical Righ	t: U	JSE					
Purpose (Use):	S	тоск					
Flow Rate:	С	ONSTREAM R		FLOW	RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.
Volume:	S U	TOCK WATE	RING PURPOSES	S AT TH E BASE	HE RATE ED ON R	E OF 30 EASON	DNSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.
Source Name:	U	JNNAMED TR	IBUTARY OF FOU	URCHE	TTE CR	EEK	
Source Type:		SURFACE	WATER				
Point of Diversion and	Means of	Diversion:					
ID		Govt Lot	<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:			D DECEMBER 31				
Diversion Means:	D	DAM					
Reservoir:	C	ONSTREAM					
		<u>Govt Lot</u>	<u>Qtr Sec</u> NWNENE	<u>Sec</u> 4	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Diversion to	Reservoi	ir: DIVERSIC	N # 1				
Period of Use:	J	ANUARY 1 TO	D DECEMBER 31				
Place of Use:							
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u> NWNENE	<u>Sec</u> 4	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>County</u> PHILLIPS

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:		40E 22402-0	0 STATEMENT C	OF CLA	IM		
		Version:	3 POST DECREE				
		:	Status: ACTIVE				
Owners:		VESETH & V 22787 MIDAL MALTA, MT {		КСО			
Priority Date:		DECEMBER	31, 1934				
Type of Historical Righ	ıt:	USE					
Purpose (Use):		STOCK					
Flow Rate:		ONSTREAM		FLOW	RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.
Volume:		STOCK WAT UNIT. ANIMA	ERING PURPOSES	S AT TH E BASE	HE RATE	E OF 30 EASON	ONSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.
Source Name:		UNNAMED T	RIBUTARY OF FOU	URCHE	TTE CR	EEK	
Source Type:		SURFAC	CE WATER				
Point of Diversion and	Means o	of Diversion:					
ID		<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:			TO DECEMBER 31				
Diversion Means:		DAM					
Reservoir:		ONSTREAM					
		<u>Govt Lot</u>	<u>Qtr Sec</u> NENWNW	<u>Sec</u> 4	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Diversion to	Reserv	oir: DIVERS	ION # 1				
Period of Use:		JANUARY 1	TO DECEMBER 31				
Place of Use:							
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u> NENWNW	<u>Sec</u> 4	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>County</u> PHILLIPS

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E	22403-00	STATEMENT O	F CLA	IM		
	Versi	on: 3	POST DECREE				
		Sta	tus: ACTIVE				
Owners:	2278	ETH & VES 7 MIDALE TA, MT 595		< CO			
Priority Date:	DEC	EMBER 31	, 1933				
Type of Historical Right	t: USE						
Purpose (Use):	STO	СК					
Flow Rate:	ONS	TREAM RE		FLOW	RATE I	S LIMITI	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.
Volume:	STO UNIT	CK WATER . ANIMAL L	ING PURPOSES	S AT TH E BASE	HE RATE ED ON R	E OF 30 EASON	NSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.
Source Name:	UNN	AMED TRIE	BUTARY OF FOL	JRCHE	TTE CR	EEK	
Source Type:		SURFACE	WATER				
Point of Diversion and I	Means of Div	ersion:					
ID	<u>G</u>	<u>ovt 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:	JANI	JARY 1 TO	DECEMBER 31				
Diversion Means:	DAM						
Reservoir:	ONS	TREAM					
	<u>G</u>	<u>ovt Lot</u>	<u>Qtr Sec</u> SWNWSE	<u>Sec</u> 28	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Diversion to	Reservoir:	DIVERSIO	N # 1				
Period of Use:	JANU	JARY 1 TO	DECEMBER 31				
Place of Use:							
<u>ID</u> 1	<u>Acres</u> <u>G</u>	ovt Lot	<u>Qtr Sec</u> NWSE	<u>Sec</u> 28	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
2				-0	2011	200	

ABSTRACT OF WATER RIGHT CLAIM

Water Ri	ight Number:	40E 22405-00	STATEMENT C	OF CLA	IM				
		Version: 3	POST DECREE						
		St	atus: ACTIVE						
Owners:		VESETH & VES 22787 MIDALE MALTA, MT 59		КСО					
Priority I	Date:	JUNE 30, 1948							
Type of H	listorical Right:	FILED							
Purpose (Use):	STOCK							
Flow Rate	e:	ONSTREAM R		FLOW	/ RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.		
Volume:		STOCK WATE UNIT. ANIMAL	RING PURPOSES UNITS SHALL BE	S AT TI E BASE	HE RATE ED ON R	E OF 30 EASON	DNSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.		
Source Na	ame:	TANK COULEE	E						
Source	Туре:	SURFACE	WATER						
Point of E	Diversion and Means	s of Diversion:							
<u>ID</u>		Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>		
1				21	24N	30E	PHILLIPS		
	l of Diversion:	DAM	DECEMBER 31						
	sion Means:		Reservoir Name		דרם הרי		D		
Reserv	voir:	ONSTREAM							
		<u>Govt Lot</u>	<u>Qtr Sec</u> NWNENW	<u>Sec</u> 21	<u>Twp</u> 24N	<u>Rge</u> 30E	<u>County</u> PHILLIPS		
	Diversion to Reser	voir: DIVERSIC	N # 1						
	Dam Height:	11.0	0 FEET						
	Depth:	8.0	0 FEET						
	Surface Area:	23.2	27 ACRES						
	Capacity:	74.4	16 ACRE-FEET						
Period of	Use:	JANUARY 1 TO	DECEMBER 31						
Place of U	J se:								
<u>ID</u> 1	Acres	<u>s Govt Lot</u>	<u>Qtr Sec</u> NW	<u>Sec</u> 21	<u>Twp</u> 24N	<u>Rge</u> 30E	<u>County</u> PHILLIPS		
2			S2SW	16	24N	30E	PHILLIPS		

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:		40E 22406-0	00 STA	TEMENT C	OF CLA	IM			
		Version:	3 POS	T DECREE					
			Status:	ACTIVE					
Owners:		VESETH & \ 22787 MIDA MALTA, MT	LE RD	LIVESTOC	КСО				
Priority Date:		DECEMBER	31, 1932	2					
Type of Historical Righ	nt:	USE							
Purpose (Use):		STOCK							
Flow Rate:			RESER	VOIR. THE	FLOW	RATE	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.	
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 1	FRIBUTA	RY OF FO	URCHE	TTE CR	EEK		
Source Type:		SURFA	CE WAT	ER					
Point of Diversion and	Means o	of Diversion:							
ID		Govt Lot		<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	County	
1				WSENE	33	23N	29E	PHILLIPS	
Period of Diversion	:	JANUARY 1	TO DEC	EMBER 31					
Diversion Means:		DAM							
Reservoir:		ONSTREAM							
		<u>Govt Lot</u>	N	<u>Qtr Sec</u> WSENE	<u>Sec</u> 33	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS	
Diversion to	Reserv	oir: DIVERS	SION # 1						
Period of Use:		JANUARY 1	TO DEC	EMBER 31					
Place of Use:									
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>	N	<u>Qtr Sec</u> WSENE	<u>Sec</u> 33	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS	

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:		40E 22407-	00 STA	ATEMENT C	OF CLA	IM		
		Version:	3 POS	ST DECREE	=			
			Status:	ACTIVE				
Owners:		VESETH & V 22787 MIDA MALTA, MT	LE RD	LIVESTOC	КСО			
Priority Date:		DECEMBER	31, 196	6				
Type of Historical Righ	nt:	USE						
Purpose (Use):		STOCK						
Flow Rate:			RESER	VOIR. THE	FLOW	/ RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.
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	rribut <i>i</i>	ARY OF FO	URCHE	TTE CR	EEK	
Source Type:		SURFA	CE WAT	ER				
Point of Diversion and	Means o	of Diversion:						
ID		<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 DEC	CEMBER 31				
Diversion Means:		DAM						
Reservoir:		ONSTREAM						
		<u>Govt Lot</u>		<u>Qtr Sec</u> NENE	<u>Sec</u> 5	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Diversion to	Reserve	oir: DIVERS	SION # 1					
Period of Use:		JANUARY 1	TO DEC	EMBER 31				
Place of Use:								
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>		<u>Qtr Sec</u> NENE	<u>Sec</u> 5	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>County</u> PHILLIPS

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:		40E 22408-0	00 STA	TEMENT C	OF CLA	IM		
		Version:	3 POS	T DECREE	Ξ			
			Status:	ACTIVE				
Owners:	:	VESETH & V 22787 MIDAI MALTA, MT 9	E RD	LIVESTOC	K CO			
Priority Date:		DECEMBER	31, 1965	5				
Type of Historical Righ	it:	USE						
Purpose (Use):		STOCK						
Flow Rate:			RESER	VOIR. THE	FLOW	RATE	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.
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 T	RIBUTA	RY OF FO	URCHE	TTE CR	EEK	
Source Type:		SURFA	CE WAT	ER				
Point of Diversion and	Means o	of Diversion:						
ID		<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 DEC	EMBER 31				
Diversion Means:		DAM						
Reservoir:		ONSTREAM						
		<u>Govt Lot</u>	١	<u>Qtr Sec</u> NENESE	<u>Sec</u> 33	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Diversion to	Reserve	oir: DIVERS	ION # 1					
Period of Use:		JANUARY 1	TO DEC	EMBER 31				
Place of Use:								
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>	١	<u>Qtr Sec</u> NENESE	<u>Sec</u> 33	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:		40E 22409-	00 STA	TEMENT (OF CLA	IM			
		Version:	3 POS	T DECREE	Ξ				
			Status:	ACTIVE					
Owners:		VESETH & \ 22787 MIDA MALTA, MT	LE RD	LIVESTOC	K CO				
Priority Date:		DECEMBER	31, 1954	4					
Type of Historical Righ	nt:	USE							
Purpose (Use):		STOCK							
Flow Rate:			RESER	VOIR. THE	FLOW	RATE	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.	
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	FRIBUTA	RY OF TH	IRD CR	EEK			
Source Type:		SURFA	CE WAT	ER					
Point of Diversion and	Means o	of Diversion:							
ID		<u>Govt Lot</u>		<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1			-	WSWSE	20	24N	29E	PHILLIPS	
Period of Diversion:		JANUARY 1	TO DEC	EMBER 31					
Diversion Means:		DAM							
Reservoir:		ONSTREAM							
		<u>Govt Lot</u>	-	<u>Qtr Sec</u> WSWSE	<u>Sec</u> 20	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS	
Diversion to	Reserv	oir: DIVERS	SION # 1						
Period of Use:		JANUARY 3	1 TO DE	CEMBER 3	51				
Place of Use:									
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>		<u>Qtr Sec</u> SWSE	<u>Sec</u> 20	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS	

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:		40E 22410-0	0 sta	TEMENT C	OF CLA	IM		
-		Version:	3 POS	T DECREE	Ē			
		9	Status:	ACTIVE				
Owners:	:	VESETH & V 22787 MIDAL MALTA, MT 5	E RD	LIVESTOC	КСО			
Priority Date:		DECEMBER	31, 194 [,]	1				
Type of Historical Righ	nt:	USE						
Purpose (Use):		STOCK						
Flow Rate:			RESER	VOIR. THE	FLOW	RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.
Volume:		STOCK WAT UNIT. ANIMA	ERING L UNITS	PURPOSES S SHALL BI	S AT TH E BASE	HE RATE	E OF 30 EASON	DNSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.
Source Name:		UNNAMED T	RIBUTA	RY OF TH	RD CR	EEK		
Source Type:		SURFAC	E WAT	ER				
Point of Diversion and	Means o	of Diversion:						
ID		<u>Govt Lot</u>		<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			-	ESWNE	30	24N	29E	PHILLIPS
Period of Diversion:	-	JANUARY 1	FO DEC	EMBER 31				
Diversion Means:		DAM						
Reservoir:		ONSTREAM						
		<u>Govt Lot</u>	S	<u>Qtr Sec</u> SESWNE	<u>Sec</u> 30	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Diversion to	Reserve	oir: DIVERS	ON # 1					
Period of Use:		JANUARY 1	FO DEC	EMBER 31				
Place of Use:								
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>		<u>Qtr Sec</u> SWNE	<u>Sec</u> 30	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:		40E 22411-0)0 sta	TEMENT C	OF CLA	IM		
-		Version:	3 POS	T DECREE	Ξ			
			Status:	ACTIVE				
Owners:		VESETH & V 22787 MIDAI MALTA, MT {	_E RD	LIVESTOC	K CO			
Priority Date:		DECEMBER	31, 193 ⁻	1				
Type of Historical Righ	ıt:	USE						
Purpose (Use):		STOCK						
Flow Rate:			RESER	VOIR. THE	FLOW	RATE	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.
Volume:		STOCK WAT	ERING	PURPOSE: S SHALL B	S AT TH E BASE	HE RATE	E OF 30 EASON	ONSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.
Source Name:		UNNAMED T	RIBUTA	RY OF FO	URCHE	TTE CR	EEK	
Source Type:		SURFA	CE WAT	ER				
Point of Diversion and	Means o	of Diversion:						
<u>ID</u> 1		<u>Govt Lot</u>		<u>Qtr Sec</u> IWNESE	<u>Sec</u> 5	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Period of Diversion:	:	JANUARY 1	-		•	ZZIN	29E	
Diversion Means:		DAM						
Reservoir:		ONSTREAM						
		<u>Govt Lot</u>	Ν	<u>Qtr Sec</u> IWNESE	<u>Sec</u> 5	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>County</u> PHILLIPS
Diversion to	Reserve	oir: DIVERS	ION # 1					
Period of Use:		JANUARY 1	TO DEC	EMBER 31				
Place of Use:								
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>	N	<u>Qtr Sec</u> IWNESE	<u>Sec</u> 5	<u>Twp</u> 22N	<u>Rge</u> 29E	<u>County</u> PHILLIPS

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22418-00	STATEMENT C	F CLA	IM		
	Version: 3	POST DECREE				
	S	tatus: ACTIVE				
Owners:	VESETH & VE 22787 MIDALE MALTA, MT 59		K CO			
Priority Date:	DECEMBER 3	1, 1905				
Type of Historical Right:	FILED					
Purpose (Use):	STOCK					
Flow Rate:	ONSTREAM F		FLOW	RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.
Volume:	STOCK WATE UNIT. ANIMAL	RING PURPOSES	S AT TI E BASE	HE RATE	E OF 30 EASON	ONSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.
Source Name:	TANK COULE	E				
Source Type:	SURFAC	E WATER				
Point of Diversion and Mean	s of Diversion:					
ID	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	County
1			21	24N	30E	PHILLIPS
Period of Diversion:		O DECEMBER 31				
Diversion Means:	DAM	D 1 11	T • • •			
Reservoir:	ONSTREAM	Reservoir Name	~			
	<u>Govt Lot</u>	<u>Qtr Sec</u> NWNENW	<u>Sec</u> 21	<u>Twp</u> 24N	<u>Rge</u> 30E	<u>County</u> PHILLIPS
Diversion to Rese	rvoir: DIVERSI		21	2411	JUL	
Dam Height:	11.	00 FEET				
Depth:		00 FEET				
Surface Area:	23.	27 ACRES				
Capacity:	74.	46 ACRE-FEET				
Period of Use:	JANUARY 1 T	O DECEMBER 31				
Place of Use:						
ID Acre 1 2	es <u>Govt Lot</u>	<u>Qtr Sec</u> S2SW N2NW	<u>Sec</u> 16 21	<u>Twp</u> 24N 24N	<u>Rge</u> 30E 30E	<u>County</u> PHILLIPS PHILLIPS

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22419-00 STATEMENT OF CLAIM											
	Version:	3 POS	T DECREE									
		Status:	ACTIVE									
Owners:	22787 MID/	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD MALTA, MT 59538										
Priority Date:	DECEMBE	R 31, 1956	i									
Type of Historical Right:	USE											
Purpose (Use):	DOMESTIC	;										
Flow Rate:	7.00 GPM											
Volume:	1.50 AC-FT	1.50 AC-FT										
Households:	1											
Source Name:	GROUNDW	/ATER										
Source Type:	GROU	NDWATE	२									
Point of Diversion and Means	s of Diversion:	:										
ID 1	<u>Govt Lo</u>		<u>Qtr Sec</u> ESENW	<u>Sec</u> 33	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS					
Period of Diversion:	JANUARY	1 TO DECI	EMBER 31									
Diversion Means:	WELL											
Period of Use:	JANUARY	1 TO DECI	EMBER 31									
Place of Use:												
<u>ID</u> <u>Acre</u> 1	<u>s Govt Lo</u>		<u>Qtr Sec</u> ESENW	<u>Sec</u> 33	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS					

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM BASIN 40E

Water Right Number:									
	Version: 3 -	- POST DECREE							
	Sta	atus: ACTIVE							
Owners:	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD								
	MALTA, MT 59								
Priority Date:	DECEMBER 31	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:	GROUND\	WATER							
Point of Diversion and Means	of Diversion:								
ID	<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>Acre</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.

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM BASIN 40E

Water Right Number:	40E 22421-00	STATEMENT C	F CLA	Μ				
	Version: 3	POST DECREE						
	Sta	tus: ACTIVE						
Owners:	22787 MIDALE		K CO					
	MALTA, MT 595							
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:	GROUNDWATE	R						
Source Type:	GROUNDV	VATER						
Point of Diversion and Means	s of Diversion:							
ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<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>Acre</u> 1	<u>s Govt Lot</u>	<u>Qtr Sec</u> SWNESW	<u>Sec</u> 14	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> 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.

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 22422-00 STATEMENT OF CLAIM									
	Version:	3 POS	T DECREE							
		Status:	ACTIVE							
Owners:	22787 MID	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD MALTA, MT 59538								
Priority Date:	DECEMBE	DECEMBER 31, 1949								
Type of Historical Right:	USE									
Purpose (Use):	DOMESTIC	;								
Flow Rate:	12.00 GPM	12.00 GPM								
Volume:	1.50 AC-FT	1.50 AC-FT								
Households:	1									
Source Name:	GROUNDW	/ATER								
Source Type:	GROU	NDWATE	R							
Point of Diversion and Means	s of Diversion:	:								
ID 1	<u>Govt Lot</u>		<u>Qtr Sec</u> ESWNE	<u>Sec</u> 14	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
Period of Diversion:	JANUARY '	1 TO DECI	EMBER 31							
Diversion Means:	WELL									
Period of Use:	JANUARY '	1 TO DECI	EMBER 31							
Place of Use:										
<u>ID</u> <u>Acre</u> 1	<u>s Govt Lot</u>	-	<u>Qtr Sec</u> ESWNE	<u>Sec</u> 14	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM BASIN 40E

Water R	ight Number:	40E 30288-00	STATEMENT C	F CLA	IM					
		Version: 3 -	- POST DECREE							
		Sta	atus: ACTIVE							
Owners:		VESETH & VES 22787 MIDALE MALTA, MT 59		ксо						
Priority I	Date:	DECEMBER 31	DECEMBER 31, 1950							
Type of H	Historical Right:	USE								
Purpose	(Use):	IRRIGATION	IRRIGATION							
Irri	gation Type:	FLOOD								
Flow Rat	e:	A SPECIFIC FL ONSTREAM RI		NOT BE	EEN DEC	CREED	FOR THIS USE FROM THIS			
Volume:		40.50 AC-FT								
Clin	matic Area:	1 - HIGH								
Maximur	n Acres:	14.10								
Source N	ame:	FOURCHETTE CREEK, NORTH FORK								
Source	Туре:	SURFACE WATER								
Point of I	Diversion and Means	of Diversion:								
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> SESESW	<u>Sec</u> 10	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
Perio	d of Diversion:	JANUARY 1 TO	DECEMBER 31							
Diver	sion Means:	DAM								
Reser	voir:	ONSTREAM								
		<u>Govt Lot</u>	<u>Qtr Sec</u> SESESW	<u>Sec</u> 10	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
	Diversion to Reser	voir: DIVERSIO	N # 1							
	Dam Height:	13.0	0 FEET							
	Depth:	10.0	0 FEET							
	Surface Area:	21.6	3 ACRES							
	Capacity:	86.5	2 ACRE-FEET							
Period of	Use:	JANUARY 1 TO DECEMBER 31								
Place of U	Use:									
<u>ID</u>	Acres	<u>s 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 4	5.60 0.75		SESESW SWSWSE	10 10	23N 23N	29E 29E	PHILLIPS PHILLIPS			
4	0.73	_	311313E	10	2011	290				

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

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:		40E 30294-0	0 STATEMENT	OF CLA	IM					
		Version:	3 POST DECRI	ΞE						
			Status: ACTIV	Ξ						
Owners:	:	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD MALTA, MT 59538								
Priority Date:		SEPTEMBER	R 30, 1971							
Type of Historical Right	nt:	USE								
Purpose (Use):		STOCK								
Flow Rate:		ONSTREAM		IE FLOW	RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.			
Volume:		STOCK WAT UNIT. ANIMA	ERING PURPOS	ES AT TH BE BASE	HE RATE	E OF 30 EASON	ONSUMPTIVELY USED FOR GALLONS PER DAY PER ANIMAL ABLE CARRYING CAPACITY AND WATER SOURCE.			
Source Name:		UNNAMED T	RIBUTARY OF S	ECOND	CREEK					
Source Type:		SURFAG	CE WATER							
Point of Diversion and	Means o	of Diversion:								
ID		<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			TO DECEMBER (31						
Diversion Means:		DAM								
Reservoir:		ONSTREAM								
		<u>Govt Lot</u>	<u>Qtr Sec</u> NWNENE	<u>Sec</u> 17	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
Diversion to	Reserve	oir: DIVERS	ION # 1							
Period of Use:		JANUARY 1	TO DECEMBER 3	31						
Place of Use:										
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u> N2NE	<u>Sec</u> 17	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 30302-00 S	STATEMENT C	F CLA	M					
	Version: 4 P	OST DECREE							
	Status	s: 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:	GROUNDWA	TER							
Point of Diversion and Mean	s of Diversion:								
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NESENE	<u>Sec</u> 15	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			
Period of Diversion:	JANUARY 1 TO D	ECEMBER 31							
Diversion Means:	WELL								
Period of Use:	JANUARY 1 TO D	ECEMBER 31							
Place of Use:									
<u>ID Acre</u> 1	<u>s Govt Lot</u>	<u>Qtr Sec</u> NESENE	<u>Sec</u> 15	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:		40E 30305-(00 STA	TEMENT C	OF CLA	IM				
		Version:	3 POS	T DECREE						
			Status:	ACTIVE						
Owners:	:	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD MALTA, MT 59538								
Priority Date:		DECEMBER	31, 196 ⁻	1						
Type of Historical Righ	nt:	USE								
Purpose (Use):		STOCK								
Flow Rate:			RESER	VOIR. THE	FLOW	RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.		
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 1	RIBUTA	RY OF TH	RD CR	EEK				
Source Type:		SURFA	CE WAT	ER						
Point of Diversion and	Means o	of Diversion:								
ID		Govt Lot		<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	County		
1			-	SESESW	27	24N	29E	PHILLIPS		
Period of Diversion	:	JANUARY 1	TO DEC	EMBER 31						
Diversion Means:		DAM								
Reservoir:		ONSTREAM								
		<u>Govt Lot</u>	S	<u>Qtr Sec</u> SESESW	<u>Sec</u> 27	<u>Тwp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS		
Diversion to	Reserve	oir: DIVERS	SION # 1							
Period of Use:		JANUARY 1	TO DEC	EMBER 31						
Place of Use:										
<u>ID</u> 1	<u>Acres</u>	<u>Govt Lot</u>		<u>Qtr Sec</u> SESW	<u>Sec</u> 27	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS		

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 30307-00	STATEMENT C	OF CLA	IM						
	Version: 3 -	POST DECREE								
	Sta	atus: ACTIVE								
Owners:	22787 MIDALE	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:	ONSTREAM R		FLOW	/ RATE I	S LIMIT	FOR THIS USE FROM THIS ED TO THE MINIMUM AMOUNT POSE.				
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 TR	UNNAMED TRIBUTARY OF THIRD CREEK								
Source Type:	SURFACE WATER									
Point of Diversion and Means of Diversion:										
ID	Govt Lot	<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:		DECEMBER 31								
Diversion Means:	DAM									
Reservoir:	ONSTREAM									
	<u>Govt Lot</u>	<u>Qtr Sec</u> SWNWNW	<u>Sec</u> 34	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS				
Diversion to Reser	rvoir: DIVERSIC	N # 1								
Dam Height:	11.0	0 FEET								
Depth:	8.0	0 FEET								
Surface Area:	3.7	1 ACRES								
Capacity:	11.8	7 ACRE-FEET								
Period of Use:	JANUARY 1 TO	DECEMBER 31								
Place of Use:										
ID Acre 1 2	<u>s Govt Lot</u>	<u>Qtr Sec</u> W2NWNW E2NENE	<u>Sec</u> 34 33	<u>Twp</u> 24N 24N	<u>Rge</u> 29E 29E	<u>County</u> PHILLIPS PHILLIPS				

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM BASIN 40E

Water Right Number:	40E 30308-	00 STATEMENT	OF CLA	IM						
	Version:	3 POST DECRE	E							
		Status: ACTIVE								
Owners:	22787 MIDA	VESETH & VESETH LIVESTOCK CO 22787 MIDALE RD MALTA, MT 59538								
Priority Date:	JULY 31, 19	58								
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:	GROUNDW	ATER								
Source Type:	GROUN	NDWATER								
Point of Diversion and Mean	s of Diversion:									
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NWNWNE	<u>Sec</u> 23	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> PHILLIPS				
Period of Diversion:	JANUARY 1	TO DECEMBER 3	1							
Diversion Means:	WELL									
Period of Use:	JANUARY 1	TO DECEMBER 3	1							
Place of Use:										
<u>ID</u> <u>Acre</u> 1	<u>s Govt Lot</u>	<u>Qtr Sec</u> W2NWNE	<u>Sec</u> 23	<u>Twp</u> 23N	<u>Rge</u> 29E	<u>County</u> 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

ABSTRACT OF WATER RIGHT CLAIM

Water Ri	ght Number:	40E 12225	5-00	STATEMENT	OF CL	AIM				
		Version:	3 F	POST DECREE						
			Statu	is: ACTIVE						
Owners:		VESETH & 22787 MIDA MALTA, MT	LE R		(CO					
Priority D	ate:	DECEMBER	R 31, 1	1939						
Type of H	istorical Right:	USE								
Purpose (Use):	IRRIGATIO	IRRIGATION							
Irrig	gation Type:	WATER SP	READ	DING						
Flow Rate	:		A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.							
*Volume:		259.90 AC-I	-T							
Clin	natic Area:	1 - HIGH								
*Maximum	Acres:	113.00	113.00							
Source Na	ime:	UNNAMED	TRIBI	JTARY OF SEC	OND	CREEK				
Source	Туре:	SURFACE WATER								
Point of D	iversion and Means	of Diversion:								
ID		<u>Govt Lot</u>	<u>.</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>		
1 D	f D'i			NENESW	10	24N	29E	PHILLIPS		
	of Diversion:		IOL	DECEMBER 31						
	ion Means:									
Reserv	701r:	ONSTREAM			G	т	р			
		<u>Govt Lot</u>		<u>Qtr Sec</u> NENESW	<u>Sec</u> 10	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS		
	Diversion to Reserv	voir: DIVER	SION	-	10	2	202			
	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 U	se:									
ID	Acres	<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									

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

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 165071	00 STATEMENT	OF CL	AIM						
	Version:	3 POST DECREE	Ξ							
		Status: ACTIVE								
Owners:	VESETH & V 22787 MIDAI MALTA, MT		K CO							
Priority Date:	DECEMBER	31, 1950								
Type of Historical Right:	USE									
Purpose (Use):	IRRIGATION	RRIGATION								
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	- HIGH								
Maximum Acres:	35.00	35.00								
Source Name:	UNNAMED 1	UNNAMED TRIBUTARY OF SECOND CREEK								
Source Type:	SURFA	SURFACE WATER								
Point of Diversion and Means	s of Diversion:									
ID	<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:		TO DECEMBER 31								
Diversion Means:	DAM									
	THE RESER COUNTY	OIR EXTENDS IN	TO TH	E E2NE	SEC 7 T	WP 24N RGE 29E PHILLIPS				
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 Reser										
Dam Height:		0.00 FEET								
Depth:		.00 FEET								
Surface Area:		0.50 ACRES								
Capacity:		144.00 ACRE-FEET								
Period of Use:	JANUARY 1	TO DECEMBER 31								
Place of Use:										
<u>ID</u> <u>Acre</u>		<u>Qtr Sec</u>	Sec o	<u>Twp</u> 24N	<u>Rge</u> 20⊑	<u>County</u>				
1 17.00 2 18.00	J	NESW	8	24N	29E	PHILLIPS				
<u> </u>	า	NWSE	8	24N	29E	PHILLIPS				

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

ABSTRACT OF WATER RIGHT CLAIM

Water Right Number:	40E 30160071	STATEMENT	OF CLA	MM					
	Version: 1 -	- ORIGINAL RIG	HT						
	Sta	atus: ACTIVE							
Owners:	VESETH & VES 22787 MIDALE MALTA, MT 599		K CO						
Priority Date:	JUNE 17, 1946								
Type of Historical Right:	FILED								
Purpose (Use):	IRRIGATION	IRRIGATION							
Irrigation Type:	FLOOD								
Flow Rate:	ONSTREAM RI		NOT BE	EEN DEC	CREED	FOR THIS USE FROM THIS			
Volume:	74.50 AC-FT								
Climatic Area:		THE COMBINED VOLUME OF CLAIMS 40E 22372-00 AND 40E 30160071 SHALL NOT EXCEED 74.50 AC-FT. 1 - HIGH							
Maximum Acres:	52.00	52.00							
Source Name:	UNNAMED TRI	UNNAMED TRIBUTARY OF THIRD CREEK							
Source Type:	SURFACE	SURFACE WATER							
Point of Diversion and Mea	nns of Diversion:								
ID	Govt Lot	<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:	THE DAM EXT COUNTY. ONSTREAM	ENDS INTO THE	W2SW	/SW , SE	EC 29 T\	WP 24N RGE 29E PHILLIPS			
	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>			
		NWNWSW	28	24N	29E	PHILLIPS			
	ervoir: DIVERSIO								
Dam Height:		0 FEET							
Depth:		0 FEET							
Surface Area:		3 ACRES							
Capacity:		1 ACRE-FEET							
Period of Use:	JANUARY 1 TC	DECEMBER 31							
Place of Use:		0	G	T	D				
ID Ac 1 13.	<u>res Govt Lot</u> .00	<u>Qtr Sec</u> NWSW	<u>Sec</u> 28	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS			

2		34.00	SWSW	28	24N	29E	PHILLIPS	
3		5.00	SESW	28	24N	29E	PHILLIPS	
	Total:	52.00						

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.

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> 1	<u>Govt Lot</u>	SV	<u>Qtr Sec</u> VNWSE	<u>Sec</u> 30	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> PHILLIPS	
Period of Diversion:	JANUARY 1 TO DECEMBER 31							
Diversion Means:	WELL							
Period of Use:	riod of Use: JANUARY 1 TO DECEMBER 31							
Place of Use:								
<u>ID</u> <u>Acres</u> 1	<u>s Govt Lot</u>	SV	<u>Qtr Sec</u> VNWSE	<u>Sec</u> 30	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> 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.

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM BASIN 40E

Water Right Number:	er: 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> 1	Govt Lo	SI	<u>Qtr Sec</u> WNESW	<u>Sec</u> 14	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> 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>Acre</u> 1	s <u>Govt Lo</u> r	-	<u>Qtr Sec</u> WNESW	<u>Sec</u> 14	<u>Twp</u> 24N	<u>Rge</u> 29E	<u>County</u> 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.