

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 43D 122455-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: CHERRY SPRINGS RANCH & CATTLE CO LLC
357 PRYOR MOUNTAIN RD
BRIDGER, MT 59014

JS MORGAN RANCH LLC
471 PRYOR MOUNTAIN RD
BRIDGER, MT 59014-9408

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

Priority Date: DECEMBER 16, 1905

Enforceable Priority Date: DECEMBER 16, 1905

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 2.50 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 1 - HIGH

Maximum Acres: 293.50

Source Name: ARTESIAN WELL

Source Type: GROUNDWATER

THE SOURCE IS A FLOWING ARTESIAN WELL WHICH FORMS A CLOSED BASIN WITHIN THE BRIDGER CREEK DRAINAGE.

ALSO KNOWN AS RED BASIN SULFUR WELL

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNW	20	7S	24E	CARBON

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: FLOWING

Period of Use: APRIL 1 to OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	18.30		S2NW	12	7S	23E	CARBON
2	6.20		S2SWNE	12	7S	23E	CARBON
3	42.40		NESW	12	7S	23E	CARBON
4	69.50		NW	18	7S	24E	CARBON
5	69.20		N2SW	18	7S	24E	CARBON
6	49.50		S2NE	18	7S	24E	CARBON
7	38.40		N2SE	18	7S	24E	CARBON
Total:	293.50						

Geocodes/Valid: 10-0359-12-1-01-01-0000 - Y 10-0359-12-2-03-01-0000 - Y
10-0360-18-4-02-01-0000 - Y

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.

122455-00 122457-00 122464-00

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.

122454-00 122455-00

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT IN THE AMENDED STIPULATION FOR ENTRY OF JUDGMENT FILED 1/20/98 LOCATED IN THE CASE AND CLAIM FILES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/01/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/22/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/08/96.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/13/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 79786 RECEIVED 07/22/2009.

OWNERSHIP UPDATE TYPE DOR # 130213 RECEIVED 03/19/2015.

THE TIMELY FILED OBJECTION OF UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE SOURCE, PRIORITY DATE, AND MEANS OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.