

2025 Priority Date Index - Big Elk Creek Distribution Area

Enf. Priority Date	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Cfs	MI
40A 110018 00	***This water right has important commissioner remark(s).***												
1880/03/15	MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	1	IRRIGATION	NWSNW	35	8N13E	BIG ELK CREEK		04/15 to 10/01	4.68	187.2
40A 5024 00	***This water right has important commissioner remark(s).***												
1881/05/15	M LAZY D LTD PARTNERSHIP		REEXAMINED	1	IRRIGATION	NWNWSW	34	7N13E	BIG ELK CREEK	GEORGE HATCH DITCH	03/01 to 11/19	1.4	56
40A 5025 00	***This water right has important commissioner remark(s).***												
1881/05/15	M LAZY D LTD PARTNERSHIP		REEXAMINED	1	IRRIGATION	NWSWE	34	7N13E	BIG ELK CREEK	MARTIN SPRING DITCH	03/01 to 11/19	0.379987	15.19948
40A 110017 00	***This water right has important commissioner remark(s).***												
1884/07/15	MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	03/01 to 11/15	4.7	188
40A 201293 00	***This water right has important commissioner remark(s).***												
1887/04/30	HORSE BUTTE RANCH LLC		POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	01/01 to 12/31	1.7	68
1887/04/30	HORSE BUTTE RANCH LLC		POST DECREE	2	IRRIGATION	NWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	01/01 to 12/31	1.7	68
40A 198480 00	***This water right has important commissioner remark(s).***												
1887/06/01	C BAR J RANCH LLC		REEXAMINED	1	IRRIGATION	NWNENE	36	7N13E	BIG ELK CREEK	GEORGE MOORE DITCH	03/01 to 11/19	1.65	66
40A 198479 00	***This water right has important commissioner remark(s).***												
1887/06/30	C BAR J RANCH LLC		REEXAMINED	1	IRRIGATION	SWSESW	35	7N13E	BIG ELK CREEK	NOBLE DITCH	03/01 to 11/19	1.25	50
40A 198478 00	***This water right has important commissioner remark(s).***												
1888/04/20	C BAR J RANCH LLC		REEXAMINED	1	IRRIGATION	SWSESW	35	7N13E	BIG ELK CREEK	NOBLE DITCH	03/01 to 11/19	5.43	217.2
40A 201292 00	***This water right has important commissioner remark(s).***												
1888/04/30	HORSE BUTTE RANCH LLC		POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	01/01 to 12/31	6.95	278
1888/04/30	HORSE BUTTE RANCH LLC		POST DECREE	2	IRRIGATION	NWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	01/01 to 12/31	6.95	278
40A 5027 00	***This water right has important commissioner remark(s).***												
1888/05/15	M LAZY D LTD PARTNERSHIP		REEXAMINED	1	IRRIGATION	NWNWSW	34	7N13E	BIG ELK CREEK	GEORGE HATCH DITCH	03/01 to 11/19	1.4	56
40A 110019 00	***This water right has important commissioner remark(s).***												
1888/06/01	MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	03/01 to 11/15	1	40
40A 110026 00	***This water right has important commissioner remark(s).***												
1889/05/01	MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	SENESE	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	03/01 to 11/15	2.3	92
40A 110031 00	***This water right has important commissioner remark(s).***												
1889/05/15	MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	SWSESE	1	6N12E	BIG ELK CREEK	OLD WEBER DITCH	03/01 to 11/15	1	40
40A 201291 00	***This water right has important commissioner remark(s).***												

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Cfs	MI
1889/05/15		VOSS	DENNIS	POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	4.15	166
1889/05/15		BORBE	ERICA	POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	4.15	166
40A 198477 00 ***This water right has important commissioner remark(s).***														
1889/06/01		C BAR J RANCH LLC		REEXAMINED	1	IRRIGATION	NWNENE	36	7N13E	BIG ELK CREEK	GEORGE MOORE DITCH	03/01 to 11/19	1.65	66
40A 201290 00 ***This water right has important commissioner remark(s).***														
1889/06/15		VOSS	DENNIS	POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	1	40
1889/06/15		BORBE	ERICA	POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	1	40
40A 189760 00														
1889/08/20		MARTIN RANCH CO		POST DECREE	1	STOCK	NENWSE	32	7N13E	BIG ELK CREEK	E.L. SHUMAKER DITCH	01/01 to 12/31		
40A 201289 00 ***This water right has important commissioner remark(s).***														
1889/08/20		HORSE BUTTE RANCH LLC		POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	03/01 to 11/15	4.13	165.2
1889/08/20		HORSE BUTTE RANCH LLC		POST DECREE	2	IRRIGATION	NWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	03/01 to 11/15	4.13	165.2
40A 189759 00 ***This water right has important commissioner remark(s).***														
1890/05/15		MARTIN RANCH CO		REEXAMINED	1	IRRIGATION	NESESW	32	7N13E	BIG ELK CREEK	MAIN DITCH (SOUTH BANK)	03/01 to 11/19	5.75	230
40A 110021 00														
1890/06/01		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	SESWSE	2	7N13E	BIG ELK CREEK	UPPER MONTGOMERY DITCH NO. 3	03/01 to 11/15	1.93	77.2
1890/06/01		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	NWSENW	35	7N13E	BIG ELK CREEK		03/01 to 11/15	1.93	77.2
40A 5026 00 ***This water right has important commissioner remark(s).***														
1890/06/15		M LAZY D LTD PARTNERSHIP		REEXAMINED	1	IRRIGATION	NWNWSW	34	7N13E	BIG ELK CREEK	GEORGE HATCH DITCH	03/01 to 11/19	4.7	188
40A 198483 00 ***This water right has important commissioner remark(s).***														
1890/06/30		C BAR J RANCH LLC		REEXAMINED	1	IRRIGATION	SWSESW	35	7N13E	BIG ELK CREEK	NOBLE DITCH	03/01 to 11/19	4.48	179.2
40A 201288 00 ***This water right has important commissioner remark(s).***														
1891/05/31		VOSS	DENNIS	POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	03/01 to 11/15	1	40
1891/05/31		BORBE	ERICA	POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	03/01 to 11/15	1	40
40A 201295 00 ***This water right has important commissioner remark(s).***														
1891/06/15		VOSS	DENNIS	POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	3.95	158
1891/06/15		BORBE	ERICA	POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	03/01 to 11/15	3.95	158
40A 27144 00														
1891/06/15		GLYNN RANCH INC		REEXAMINED	1	IRRIGATION		6	6N13E	BIG ELK CREEK	SHEETZ DITCH NO.1	05/01 to 08/31	1.15	46
1891/06/15		GLYNN RANCH INC		REEXAMINED	2	IRRIGATION		6	6N13E	BIG ELK CREEK	SHEETZ DITCH NO.2	05/01 to 08/31	1.15	46
1891/06/15		GLYNN RANCH INC		REEXAMINED	3	IRRIGATION		6	6N13E	BIG ELK CREEK	SHEETZ DITCH NO.3	05/01 to 08/31	1.15	46

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Cfs	MI
40A 198481 00 ***This water right has important commissioner remark(s).***														
1895/08/01		C BAR J RANCH LLC		REEXAMINED	1	IRRIGATION	SENWSW	34	7N13E	BIG ELK CREEK	NOBLE DITCH NO. 2	03/01 to 11/19	4.8	192
40A 110011 00 ***This water right has important commissioner remark(s).***														
1896/06/15		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	03/01 to 11/15	1.9	76
40A 110033 00 ***This water right has important commissioner remark(s).***														
1897/06/15		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	03/01 to 11/15	1.5	60
40A 189756 00 ***This water right has important commissioner remark(s).***														
1897/06/15		MARTIN RANCH CO		REEXAMINED	1	IRRIGATION	NESESW	32	7N13E	BIG ELK CREEK	MUIR MARTIN DITCH (NORTH BANK)	03/01 to 11/19	2.85	114
40A 201287 00 ***This water right has important commissioner remark(s).***														
1898/06/01		HORSE BUTTE RANCH LLC		POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	01/01 to 12/31	3.5	140
1898/06/01		HORSE BUTTE RANCH LLC		POST DECREE	2	IRRIGATION	NWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	01/01 to 12/31	3.5	140
40A 201294 00 ***This water right has important commissioner remark(s).***														
1898/06/01		HORSE BUTTE RANCH LLC		POST DECREE	1	IRRIGATION	NENESE	24	7N13E	BIG ELK CREEK	FOX REPLACEMENT (WEST BANK) DITCH	01/01 to 12/31	6	240
1898/06/01		HORSE BUTTE RANCH LLC		POST DECREE	2	IRRIGATION	NWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	01/01 to 12/31	6	240
40A 110034 00 ***This water right has important commissioner remark(s).***														
1898/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	03/01 to 11/15	2.4	96
40A 6691 00														
1898/08/12		M LAZY D LTD PARTNERSHIP		REEXAMINED	1	STOCK	S2	34	7N13E	BIG ELK CREEK		01/01 to 12/31		
1898/08/12		M LAZY D LTD PARTNERSHIP		REEXAMINED	2	STOCK	S2	35	7N13E	BIG ELK CREEK		01/01 to 12/31		
40A 198482 00 ***This water right has important commissioner remark(s).***														
1899/05/15		C BAR J RANCH LLC		REEXAMINED	1	IRRIGATION	NWSENE	25	7N13E	BIG ELK CREEK	C-J DITCH	03/01 to 11/19	5.8	232
1899/05/15		C BAR J RANCH LLC		REEXAMINED	2	IRRIGATION	SENWSW	34	7N13E	BIG ELK CREEK	NOBLE DITCH NO. 2	03/01 to 11/19	5.8	232
40A 145870 00 ***This water right has important commissioner remark(s).***														
1900/05/15		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	2.18	87.2
1900/05/15		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	2.18	87.2
40A 110020 00 ***This water right has important commissioner remark(s).***														
1900/06/15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHANGE AUTHORIZATION	1	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/01	12.5	500
1900/06/15		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	1	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/01	12.5	500
1900/06/15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHANGE AUTHORIZATION	2	IRRIGATION	SENESE	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/01	12.5	500
1900/06/15		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	2	IRRIGATION	SENESE	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/01	12.5	500
1900/06/15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHANGE AUTHORIZATION	3	IRRIGATION	NWSENE	35	8N13E	BIG ELK CREEK		04/15 to 10/01	12.5	500
1900/06/15		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	3	IRRIGATION	NWSENE	35	8N13E	BIG ELK CREEK		04/15 to 10/01	12.5	500

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Cfs	MI
40A 30002022 ***This water right has important commissioner remark(s).***														
1900/06/15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHANGE AUTHORIZATION	1	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/01	6.58	263.2
1900/06/15		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	1	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/01	6.58	263.2
1900/06/15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHANGE AUTHORIZATION	2	IRRIGATION	SENESEW	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/01	6.58	263.2
1900/06/15		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	2	IRRIGATION	SENESEW	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/01	6.58	263.2
1900/06/15		MONTANA STATE BOARD OF LAND COMMISSIONERS		CHANGE AUTHORIZATION	3	IRRIGATION	NWSENEW	35	8N13E	BIG ELK CREEK		04/15 to 10/01	6.58	263.2
1900/06/15		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	3	IRRIGATION	NWSENEW	35	8N13E	BIG ELK CREEK		04/15 to 10/01	6.58	263.2
40A 145875 00 ***This water right has important commissioner remark(s).***														
1900/07/01		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	1	IRRIGATION	NWNENEW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	5.83	233.2
1900/07/01		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	2	IRRIGATION	SENNWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	5.83	233.2
40A 189758 00 ***This water right has important commissioner remark(s).***														
1901/06/05		MARTIN RANCH CO		REEXAMINED	1	IRRIGATION	SENNWSE	32	7N13E	BIG ELK CREEK	E. L. SHUMAKER DITCH	03/01 to 11/19	1	40
40A 145871 00 ***This water right has important commissioner remark(s).***														
1901/06/15		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	1	IRRIGATION	NWNENEW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	4.6	184
1901/06/15		MCFARLAND WHITE RANCH INC		CHANGE AUTHORIZATION	2	IRRIGATION	SENNWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	4.6	184
40A 189757 00 ***This water right has important commissioner remark(s).***														
1901/06/15		MARTIN RANCH CO		POST DECREE	1	IRRIGATION	NESESEW	32	7N13E	BIG ELK CREEK	MAIN DITCH (SOUTH BANK)	03/01 to 11/19	2	80
40A 27145 00 ***This water right has important commissioner remark(s).***														
1903/06/27		GLYNN RANCH INC		REEXAMINED	1	STOCK	S2	1	6N12E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	2	STOCK		1	6N12E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	3	STOCK		1	6N12E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	4	STOCK	E2	12	6N12E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	5	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	6	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	7	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	8	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	9	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	10	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	11	STOCK		6	6N13E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	12	STOCK	SESE	31	7N13E	BIG ELK CREEK		01/01 to 12/31		
1903/06/27		GLYNN RANCH INC		REEXAMINED	13	STOCK	W2SW	32	7N13E	BIG ELK CREEK		01/01 to 12/31		
40A 57643 00														
1905/06/01				POST DECREE	1	STOCK		32	6N12E	BIG ELK CREEK		06/01 to 10/31		

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Cfs	MI
1905/06/01		USA (DEPT OF AGRICULTURE FOREST SERVICE)		POST DECREE	1	STOCK	N2	32	6N12E	BIG ELK CREEK		06/01 to 10/31		
40A 205268 00 ***This water right has important commissioner remark(s).***														
1911/07/01		MCFARLAND WHITE RANCH INC		POST DECREE	1	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	05/20 to 07/19	15.43	617.2
1911/07/01		M&W RANCH LLC		POST DECREE	1	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	05/20 to 07/19	15.43	617.2
1911/07/01		C BAR J RANCH LLC		POST DECREE	1	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	05/20 to 07/19	15.43	617.2
40A 6661 00 ***This water right has important commissioner remark(s).***														
1911/07/01		M LAZY D LTD PARTNERSHIP		REEXAMINED	1	IRRIGATION	NWSWE	34	7N13E	BIG ELK CREEK	MARTIN SPRING DITCH	03/01 to 11/15	4.88	195.2
40A 189754 00 ***This water right has important commissioner remark(s).***														
1927/10/15		MARTIN RANCH CO		POST DECREE	1	IRRIGATION	NESENW	6	6N13E	BIG ELK CREEK		01/01 to 12/31	12.5	500
40A 198487 00 ***This water right has important commissioner remark(s).***														
1927/10/15		C BAR J RANCH LLC		POST DECREE	1	IRRIGATION	NESENW	6	6N13E	BIG ELK CREEK	SHEETZ DITCH NO.3	01/01 to 12/31	25	1000
40A 205260 00 ***This water right has important commissioner remark(s).***														
1927/10/15		M&W RANCH LLC		POST DECREE	1	IRRIGATION	NESENW	6	6N13E	BIG ELK CREEK	SHEETZ DITCH NO.3	01/01 to 12/31	12.5	500
40A 42833 00														
1928/10/01		MONTANA STATE BOARD OF LAND COMMISSIONERS		POST DECREE	1	STOCK	NWSWSW	23	6N12E	BIG ELK CREEK	HILINE DITCH	01/01 to 12/31		
40A 6682 00														
1938/10/01		BIG ELK CREEK RANCH LLC		REEXAMINED	1	STOCK		29	6N12E	BIG ELK CREEK, NORTH FORK		01/01 to 12/31		
40A 6686 00														
1938/10/01		BIG ELK CREEK RANCH LLC		REEXAMINED	1	STOCK	SESESE	29	6N12E	BIG ELK CREEK		01/01 to 12/31		
40A 137447 00														
1939/02/23		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	1	STOCK	SESW	12	6N12E	BIG ELK CREEK		01/01 to 12/31		
40A 110038 00 ***This water right has important commissioner remark(s).***														
1959/05/31		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	03/01 to 11/15	4.46	178.4
40A 211043 00 ***This water right has important commissioner remark(s).***														
1969/07/31		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWSNW	35	8N13E	BIG ELK CREEK		03/01 to 11/15	2.04	81.6
40A 211586 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1	40
40A 211587 00 ***This water right has important commissioner remark(s).***														

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Cfs	MI
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1.3	52
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1.3	52
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1.3	52
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1.3	52
40A 211588 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1.5	60
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1.5	60
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1.5	60
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1.5	60
40A 211589 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1	40
40A 211590 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1.2	48
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1.2	48
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1.2	48
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1.2	48
40A 211591 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1.12	44.8
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1.12	44.8
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1.12	44.8
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1.12	44.8
40A 211592 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	5.83	233.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	5.83	233.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	5.83	233.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	5.83	233.2
40A 211593 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1.33	53.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1.33	53.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1.33	53.2

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Cfs	MI
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1.33	53.2
40A 211594 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1.5	60
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1.5	60
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1.5	60
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1.5	60
40A 211595 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1	40
40A 211596 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	2.4	96
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	2.4	96
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	2.4	96
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	2.4	96
40A 211597 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1	40
40A 211598 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1	40
40A 211599 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1	40
40A 211600 00 ***This water right has important commissioner remark(s).***														
1973/06/30				REEXAMINED	1	IRRIGATION		13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1	40

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Cfs	MI
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1	40
40A 211601 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	1	IRRIGATION	NWNENW	13	6N12E	BIG ELK CREEK	MOORE-WILLIAMS DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	2	IRRIGATION	SENWNW	13	6N12E	BIG ELK CREEK	JOHN CAMPBELL DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	3	IRRIGATION	SESWSW	14	6N12E	BIG ELK CREEK	ARTHUR-HARTT DITCH	04/15 to 10/01	1	40
1973/06/30		MCFARLAND WHITE RANCH INC		POST DECREE	4	IRRIGATION	SESESE	22	6N12E	BIG ELK CREEK	HILINE DITCH	04/15 to 10/01	1	40
40A 211602 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	SENESE	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/05	1.93	77.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	1	IRRIGATION	SENESE	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/05	1.93	77.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	NWSENE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	1.93	77.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	2	IRRIGATION	NWSENE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	1.93	77.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	NWNENW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	04/15 to 10/05	1.93	77.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	3	IRRIGATION	NWNENW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	04/15 to 10/05	1.93	77.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	NWSWE	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO.3	04/15 to 10/05	1.93	77.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	4	IRRIGATION	NWSWE	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO.3	04/15 to 10/05	1.93	77.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	5	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/05	1.93	77.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	5	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/05	1.93	77.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	6	IRRIGATION	NESENE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	1.93	77.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	6	IRRIGATION	NESENE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	1.93	77.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	7	IRRIGATION	NWSESE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	1.93	77.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	7	IRRIGATION	NWSESE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	1.93	77.2
40A 211603 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	SENESE	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/05	2.3	92
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	NWSENE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	2.3	92
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	NWNENW	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	04/15 to 10/05	2.3	92
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	NWSWE	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO.3	04/15 to 10/05	2.3	92
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	5	IRRIGATION	SESWSW	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/05	2.3	92
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	6	IRRIGATION	NESENE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	2.3	92
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	7	IRRIGATION	NWSESE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	2.3	92
40A 211604 00 ***This water right has important commissioner remark(s).***														

Enf. Date	Priority	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Cfs	MI
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	1	IRRIGATION	SENE	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/05	6.58	263.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	1	IRRIGATION	SENE	26	8N13E	BIG ELK CREEK	CHARLES E. DUNNING DITCH NO. 1	04/15 to 10/05	6.58	263.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	2	IRRIGATION	NWSEN	35	8N13E	BIG ELK CREEK		04/15 to 10/05	6.58	263.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	2	IRRIGATION	NWSEN	35	8N13E	BIG ELK CREEK		04/15 to 10/05	6.58	263.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	3	IRRIGATION	NWNEN	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	04/15 to 10/05	6.58	263.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	3	IRRIGATION	NWNEN	2	7N13E	BIG ELK CREEK	MONTGOMERY DITCH NO. 2	04/15 to 10/05	6.58	263.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	4	IRRIGATION	NWSWE	2	7N13E	BIG ELK CREEK		04/15 to 10/05	6.58	263.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	4	IRRIGATION	NWSWE	2	7N13E	BIG ELK CREEK		04/15 to 10/05	6.58	263.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	5	IRRIGATION	SESWS	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/05	6.58	263.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	5	IRRIGATION	SESWS	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/15 to 10/05	6.58	263.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	6	IRRIGATION	NESEN	35	8N13E	BIG ELK CREEK		04/15 to 10/05	6.58	263.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	6	IRRIGATION	NESEN	35	8N13E	BIG ELK CREEK		04/15 to 10/05	6.58	263.2
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		REEXAMINED	7	IRRIGATION	NWSE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	6.58	263.2
1973/06/30		MCFARLAND WHITE RANCH INC		REEXAMINED	7	IRRIGATION	NWSE	35	8N13E	BIG ELK CREEK		04/15 to 10/05	6.58	263.2
40A 215586 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		POST DECREE	1	IRRIGATION	NESE	24	7N13E	BIG ELK CREEK	SANFORD MOORE DITCH (EAST BANK)	04/01 to 10/15	1.14	45.6
40A 215590 00 ***This water right has important commissioner remark(s).***														
1973/06/30		MONTANA STATE BOARD OF LAND COMMISSIONERS		POST DECREE	1	IRRIGATION	SESWS	12	7N13E	BIG ELK CREEK	MONTGOMERY-FREESER DITCH	04/01 to 10/15	4.2	168
40A 21115 00														
1978/11/01		M LAZY D LTD PARTNERSHIP		ORIGINAL RIGHT	1	IRRIGATION	NWNES	34	7N13E	BIG ELK CREEK	NOBLE DITCH NO.2	05/01 to 07/15	2.78	111.2
40A 30008834														
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	2	FISHERY		1	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	3	FISHERY		12	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	4	FISHERY		13	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	5	FISHERY		14	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	6	FISHERY		22	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	7	FISHERY		23	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	8	FISHERY		26	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	9	FISHERY		27	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	10	FISHERY		28	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	11	FISHERY		29	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	12	FISHERY		31	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01		MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	13	FISHERY		32	6N12E	BIG ELK CREEK		01/01 to 12/31	9.5	380

Enf. Priority Date	Owner	Owner (first)	Ver. Type	POD #	Use	Qtr Sect.	Sect.	Twp Rng	Source	Diversion Name	Period of Diversion	Cfs	MI
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	14	FISHERY		1	6N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	15	FISHERY		2	6N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	16	FISHERY		3	6N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	17	FISHERY		6	6N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	18	FISHERY		2	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	19	FISHERY		11	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	20	FISHERY		12	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	21	FISHERY		13	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	22	FISHERY		24	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	23	FISHERY		25	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	24	FISHERY		31	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	25	FISHERY		32	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	26	FISHERY		33	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	27	FISHERY		34	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	28	FISHERY		35	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	29	FISHERY		36	7N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	30	FISHERY		26	8N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380
1985/07/01	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS		ORIGINAL RIGHT	31	FISHERY		35	8N13E	BIG ELK CREEK		01/01 to 12/31	9.5	380

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 110011 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 SPECIFIES THE ADDITION OF THE FOLLOWING REMARK: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110011-00, 40A 110033-00, AND 40A 110034-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
	BEAR CREEK IS USED AS A NATURAL CARRIER TO DELIVER WATER TO A PORTION OF THE PLACE OF USE.
40A 110017 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 SPECIFIES THE ADDITION OF THE FOLLOWING REMARK: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110017-00, 40A 110019-00, AND 40A 110038-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
	MONTGOMERY NO. 2 DITCH TRANSPORTS BIG ELK WATER TO BUSHA-HEATON DITCH WHICH CARRIES THE WATER TO THE PLACE OF USE.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 110018 00	<p>**IMPORTANT INFORMATION</p> <p>THE FOLLOWING CLAIMED WATER RIGHTS INCLUDE PLACES OF USE THAT OVERLAP WITH THE HISTORIC OR AUTHORIZED PLACES OF USE OF THE WATER RIGHT CHANGED IN THIS MATTER (40A 110018): 40A 211602, 40A 211603, 40A 211604, AND 40A 110026. APPROPRIATIONS UNDER THIS CHANGE AUTHORIZATION SHALL CEASE IF WATER IS APPROPRIATED UNDER ANY OF THE ASSOCIATED WATER RIGHTS, ON EITHER THE AUTHORIZED 220.0-ACRE PLACE OF USE, OR THE FORMER/HISTORIC PLACE OF USE.</p>
	<p>**WATER MEASUREMENT AND RECORDS REQUIRED</p> <p>THE APPROPRIATOR SHALL INSTALL A DEPARTMENT-APPROVED IN-LINE FLOW METER IN THE SUPPLY LINE FOR THE IRRIGATION SYSTEMS. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF TIME. THE RECORDS MUST DISTINGUISH APPROPRIATIONS OF WATER UNDER THE CHANGED WATER RIGHT (40A 110018) FROM APPROPRIATIONS FOR OTHER WATER RIGHTS ASSOCIATED WITH THE CENTER PIVOTS.</p>
	<p>RECORDS OF APPROPRIATIONS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT RECORDS MAY BE CAUSE FOR REVOCATION OF THE AUTHORIZATION. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES THE FLOW RATE AND VOLUME OF WATER ACCURATELY.</p> <p>SUBMIT RECORDS TO: LEWISTOWN WATER RESOURCES REGIONAL OFFICE 613 NE MAIN ST, SUITE E LEWISTOWN, MT PHONE: 406-538-7459 FAX: 406-538-7012</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 110019 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 SPECIFIES THE ADDITION OF THE FOLLOWING REMARK: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110017-00, 40A 110019-00, AND 40A 110038-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
	MONTGOMERY NO. 2 DITCH TRANSPORTS BIG ELK WATER TO BUSHA-HEATON DITCH WHICH CARRIES THE WATER TO THE PLACE OF USE.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 110020 00	<p>**WATER MEASUREMENT AND RECORDS REQUIRED</p> <p>THE APPROPRIATOR SHALL INSTALL DEPARTMENT-APPROVED MEASURING DEVICES IN THE FREESER-MONTGOMERY DITCH, THE DUNNING DITCH, AND THE DIVERSION WORKS FOR THE TWO CENTER PIVOTS. THE LOCATION OF THE MEASURING DEVICES MUST BE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICES ARE IN PLACE AND OPERATING. THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED UNDER EACH WATER RIGHT, AND BY EACH OF THE DIVERSION FACILITIES, INCLUDING THE PERIOD OF TIME.</p>
	<p>RECORDS OF APPROPRIATIONS FOR EACH SET OF DIVERSION WORKS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT RECORDS MAY BE CAUSE FOR REVOCATION OF THE AUTHORIZATION. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICES SO THEY ALWAYS OPERATE PROPERLY AND MEASURE THE FLOW RATE AND VOLUME OF WATER ACCURATELY.</p>
	<p>SUBMIT RECORDS TO: LEWISTOWN WATER RESOURCES REGIONAL OFFICE 613 NE MAIN ST, SUITE E LEWISTOWN, MT PHONE: 406-538-7459 FAX: 406-538-7012</p>
	<p>THE COMBINED VOLUME OF WATER ASSOCIATED WITH USE (CENTER PIVOT IRRIGATION) ON STATE-OWNED SCHOOL TRUST LAND (LOCATED IN SECTION 36, T8N, R13E) IS A DIVERTED VOLUME OF UP TO 101.4 AF. THE DIVERTED VOLUME SPECIFICALLY ASSOCIATED WITH EACH WATER RIGHT ON STATE-OWNED LAND IS THE FOLLOWING: 66.4 AF FOR 40A 110020; AND 35.0 AF FOR 40A 30002022.</p> <p>THE COMBINED VOLUME OF WATER ASSOCIATED WITH CENTER PIVOT AND FLOOD IRRIGATION ON LAND OWNED BY MCFARLAND WHITE RANCH INC. (567.05 ACRES) IS A DIVERTED VOLUME OF UP TO 556.0 AF. THE DIVERTED VOLUME SPECIFICALLY ASSOCIATED WITH EACH WATER RIGHT ON MCFARLAND WHITE RANCH INC LAND IS THE FOLLOWING: 364.2 AF FOR 40A 110020; AND 191.8 AF FOR 40A 30002022.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 110020 00	<p>THE FOLLOWING CLAIMED WATER RIGHTS INCLUDE PLACES OF USE THAT OVERLAP WITH THE HISTORIC OR AUTHORIZED PLACES OF USE OF THE WATER RIGHTS CHANGED IN THIS MATTER: 40A 211602, 40A 211603, 40A 211604, 40A 215590 AND 40A 110026. THIS CHANGE AUTHORIZATION SHALL BE REVOKED IF WATER IS APPROPRIATED UNDER ANY OF THE ASSOCIATED WATER RIGHTS, ON ANY OF THE 654.1-ACRE PLACE OF USE.</p> <p>UTILIZATION OF WATER RIGHT NOS. 40A 110020 AND 40A 30002022 ARE SUBJECT TO A SEPARATE AGREEMENT BETWEEN THE OWNER OF THE RIGHTS AND DEADMAN'S BASIN WATER USERS' ASSOCIATION.</p>
40A 110021 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p> <p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110018-00, 40A 110020-00, 40A 110021-00, 40A 110026-00, 40A 211043-00, AND 40A 30002022. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
40A 110026 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 110026 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110018-00, 40A 110020-00, 40A 110021-00, 40A 110026-00, 40A 211043-00, AND 40A 30002022. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 110031 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p> <p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110016-00, 40A 110022-00, 40A 110024-00, 40A 110025-00, 40A 110027-00, 40A 110028-00, 40A 110031-00, 40A 145870-00, 40A 145871-00, AND 40A 145875-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
40A 110033 00	<p>THE MEANS OF DIVERSION ALSO INCLUDES A CANVAS DAM.</p> <p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION."A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 110033 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110011-00, 40A 110033-00, AND 40A 110034-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921 ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
	<p>BEAR CREEK IS USED AS A NATURAL CARRIER TO DELIVER WATER TO A PORTION OF THE PLACE OF USE.</p>
40A 110034 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p> <p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110011-00, 40A 110033-00, AND 40A 110034-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921 ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
	<p>BEAR CREEK IS USED AS A NATURAL CARRIER TO DELIVER WATER TO A PORTION OF THE PLACE OF USE.</p>
40A 110038 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 110038 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110017-00, 40A 110019-00, AND 40A 110038-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p> <p>A PUMP LOCATED ON MONTGOMERY NO. 2 DITCH (IN THE SENWSW 35, T8N, R13E) PUMPS WATER INTO THE WESTERN BRANCH OF THE DITCH TO DELIVER THE WATER TO THE PLACE OF USE.</p>
40A 145870 00	<p>**IMPORTANT INFORMATION</p> <p>THE STATEMENTS OF CLAIM AUTHORIZED TO BE CHANGED IN THIS ORDER AND STATEMENT OF CLAIM NO. 40A 110027 ARE PARTIALLY ASSOCIATED IN PLACE OF USE. THEY IRRIGATE THE SAME 111.8-ACRE PARCEL IN THE N2 SECTION 7, T6N, R13E. THE STATEMENT OF CLAIMS CHANGED IN THIS ORDER APPROPRIATE WATER FROM BIG ELK CREEK, AND STATEMENT OF CLAIM NO. 40A 110027 APPROPRIATES WATER FROM BEAR CREEK. DEPENDING ON SOURCE CONDITIONS AND THE PRIORITY STATUS OF WATER RIGHTS, WATER USE ON THE PARCEL MAY OCCUR SOLELY FROM EITHER SOURCE, OR CONJUNCTIVELY IN SOME COMBINATION. ACCORDINGLY, THE APPROPRIATOR SHALL REDUCE APPROPRIATIONS FROM BIG ELK CREEK WHEN BEAR CREEK IS BEING APPROPRIATED TO THE PARCEL. THE REDUCTION OF APPROPRIATIONS FROM BIG ELK CREEK MUST BE COMMENSURATE TO THE AMOUNT BEING DIVERTED FROM BEAR CREEK. IN ADDITION TO THE REQUIREMENTS OUTLINED IN THE ASSOCIATED WATER MEASUREMENT AND RECORDS REQUIRED CONDITION, THE APPROPRIATOR SHALL KEEP RECORDS THAT DISTINGUISH THE SOURCE, AMOUNT, AND PERIOD OF TIME OF APPROPRIATIONS TO THE 111.8-ACRE PARCEL. THE RECORDS SHALL BE SUPPLIED TO THE DEPARTMENT UPON REQUEST.</p> <p>STATEMENT OF CLAIM NOS. 40A 145870, 40A 145871 AND 40A 145875 ARE SUPPLEMENTAL AND IRRIGATE THE SAME 496.5 ACRES. THE MAXIMUM COMBINED APPROPRIATION FROM ALL THREE RIGHTS IS 12.61 CFS UP TO 768.9 AF ANNUALLY.</p> <p>THE MOORE-WILLIAMS AND JOHN CAMPBELL DITCHES CARRY WATER TO BEAR CREEK AND SECONDARY DIVERSIONS OUT OF BEAR CREEK IRRIGATE THE PLACE OF USE.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 145871 00	<p>**IMPORTANT INFORMATION</p> <p>THE STATEMENTS OF CLAIM AUTHORIZED TO BE CHANGED IN THIS ORDER AND STATEMENT OF CLAIM NO. 40A 110027 ARE PARTIALLY ASSOCIATED IN PLACE OF USE. THEY IRRIGATE THE SAME 111.8-ACRE PARCEL IN THE N2 SECTION 7, T6N, R13E. THE STATEMENT OF CLAIMS CHANGED IN THIS ORDER APPROPRIATE WATER FROM BIG ELK CREEK, AND STATEMENT OF CLAIM NO. 40A 110027 APPROPRIATES WATER FROM BEAR CREEK. DEPENDING ON SOURCE CONDITIONS AND THE PRIORITY STATUS OF WATER RIGHTS, WATER USE ON THE PARCEL MAY OCCUR SOLELY FROM EITHER SOURCE, OR CONJUNCTIVELY IN SOME COMBINATION. ACCORDINGLY, THE APPROPRIATOR SHALL REDUCE APPROPRIATIONS FROM BIG ELK CREEK WHEN BEAR CREEK IS BEING APPROPRIATED TO THE PARCEL. THE REDUCTION OF APPROPRIATIONS FROM BIG ELK CREEK MUST BE COMMENSURATE TO THE AMOUNT BEING DIVERTED FROM BEAR CREEK. IN ADDITION TO THE REQUIREMENTS OUTLINED IN THE ASSOCIATED WATER MEASUREMENT AND RECORDS REQUIRED CONDITION, THE APPROPRIATOR SHALL KEEP RECORDS THAT DISTINGUISH THE SOURCE, AMOUNT, AND PERIOD OF TIME OF APPROPRIATIONS TO THE 111.8-ACRE PARCEL. THE RECORDS SHALL BE SUPPLIED TO THE DEPARTMENT UPON REQUEST.</p> <hr/> <p>STATEMENT OF CLAIM NOS. 40A 145870, 40A 145871 AND 40A 145875 ARE SUPPLEMENTAL AND IRRIGATE THE SAME 496.5 ACRES. THE MAXIMUM COMBINED APPROPRIATION FROM ALL THREE RIGHTS IS 12.61 CFS UP TO 768.9 AF ANNUALLY.</p> <hr/> <p>THE MOORE-WILLIAMS AND JOHN CAMPBELL DITCHES CARRY WATER TO BEAR CREEK AND SECONDARY DIVERSIONS OUT OF BEAR CREEK IRRIGATE THE PLACE OF USE.</p>
40A 145875 00	<p>**IMPORTANT INFORMATION</p> <p>STATEMENT OF CLAIM NOS. 40A 145870, 40A 145871 AND 40A 145875 ARE SUPPLEMENTAL AND IRRIGATE THE SAME 496.5 ACRES. THE MAXIMUM COMBINED APPROPRIATION FROM ALL THREE RIGHTS IS 12.61 CFS UP TO 768.9 AF ANNUALLY.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 145875 00	<p>**IMPORTANT INFORMATION</p> <p>THE STATEMENTS OF CLAIM AUTHORIZED TO BE CHANGED IN THIS ORDER AND STATEMENT OF CLAIM NO. 40A 110027 ARE PARTIALLY ASSOCIATED IN PLACE OF USE. THEY IRRIGATE THE SAME 111.8-ACRE PARCEL IN THE N2 SECTION 7, T6N, R13E. THE STATEMENT OF CLAIMS CHANGED IN THIS ORDER APPROPRIATE WATER FROM BIG ELK CREEK, AND STATEMENT OF CLAIM NO. 40A 110027 APPROPRIATES WATER FROM BEAR CREEK. DEPENDING ON SOURCE CONDITIONS AND THE PRIORITY STATUS OF WATER RIGHTS, WATER USE ON THE PARCEL MAY OCCUR SOLELY FROM EITHER SOURCE, OR CONJUNCTIVELY IN SOME COMBINATION. ACCORDINGLY, THE APPROPRIATOR SHALL REDUCE APPROPRIATIONS FROM BIG ELK CREEK WHEN BEAR CREEK IS BEING APPROPRIATED TO THE PARCEL. THE REDUCTION OF APPROPRIATIONS FROM BIG ELK CREEK MUST BE COMMENSURATE TO THE AMOUNT BEING DIVERTED FROM BEAR CREEK. IN ADDITION TO THE REQUIREMENTS OUTLINED IN THE ASSOCIATED WATER MEASUREMENT AND RECORDS REQUIRED CONDITION, THE APPROPRIATOR SHALL KEEP RECORDS THAT DISTINGUISH THE SOURCE, AMOUNT, AND PERIOD OF TIME OF APPROPRIATIONS TO THE 111.8-ACRE PARCEL. THE RECORDS SHALL BE SUPPLIED TO THE DEPARTMENT UPON REQUEST.</p>
	<p>THE MOORE-WILLIAMS AND JOHN CAMPBELL DITCHES CARRY WATER TO BEAR CREEK AND SECONDARY DIVERSIONS OUT OF BEAR CREEK IRRIGATE THE PLACE OF USE.</p>
	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>
40A 189754 00	<p>THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 189754-00, 40A 189755-00, 40A 189756-00, 40A 189757-00, 40A 189758-00, 40A 189759-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
	<p>THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF BIG ELK CREEK WHICH FLOW DIRECTLY INTO MARTIN & C-J RESERVOIR.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 189756 00	THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 189754-00, 40A 189755-00 ,40A 189756-00, 40A 189757-00, 40A 189758-00, 40A 189759-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 189757 00	THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 189754-00, 40A 189755-00, 40A 189756-00, 40A 189757-00, 40A 189758-00, 40A 189759-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 189757 00	THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL RIGHTS WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 633.00 ACRES. 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. 189754-00 189755-00 189756-00 189757-00 189758-00 189759-00
40A 189758 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p> <p>THE STIUPATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 189754-00, 40A 189755-00, 40A 189756-00, 40A 189757-00, 40A 189758-00, 40A 189759-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
40A 189759 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 189759 00	<p>THE STIPULATIONS FILED FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 189754-00, 40A 189755-00, 40A 189756-00, 40A 189757-00, 40A 189758-00, 40A 189759-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION."A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>
40A 198477 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: WATER RIGHTS 40A 198477-00 AND 40A 198480-00 WERE HISTORICALLY DIVERTED FROM BIG ELK CREEK BETWEEN THE POINT OF DIVERISON KNOWN AS THE SHUMAKER-MOORE DITCH ON THE SOUTH BORDER OF SECTION 35, T7N, R13E AND THE CURRENT POINT OF DIVERSION ON THE EAST BANK OF BIG ELK CREEK, KNOWN AS THE SANFORD MOORE DITCH, IN THE NENESE SECTION 24, T7N, R13E. THE ABOVE-DESIGNATED RIGHTS, THEREFORE, ARE NOT SUBJECT TO CALL TO SATISFY WATER RIGHT 40A 201295-00.</p>
	<p>THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, 40A 198483-00, 40A 198487-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 198478 00	THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, 40A 198483-00, 40A 198487-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 198479 00	THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, 40A 198483-00, 40A 198487-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: WATER RIGHTS 40A 198477-00 AND 40A 198480-00 WERE HISTORICALLY DIVERTED FROM BIG ELK CREEK BETWEEN THE POINT OF DIVERSION KNOWN AS THE SHUMAKER-MOORE DITCH ON THE SOUTH BORDER OF SECTION 35, T7N, R13E AND THE CURRENT POINT OF DIVERSION ON THE EAST BANK OF BIG ELK CREEK, KNOWN AS THE SANFORD MOORE DITCH, IN THE NENESE SECTION 24, T7N, R13E. THE ABOVE-DESIGNATED RIGHTS, THEREFORE, ARE NOT SUBJECT TO CALL TO SATISFY WATER RIGHT 40A 201295-00.
40A 198480 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION:" FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION."A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
	THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, 40A 198483-00, 40A 198487-00. IN THE EVENT THAT THE FLOW IN BIG CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 198481 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 198481 00	<p>THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, 40A 198483-00, 40A 198487-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTHS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
40A 198482 00	<p>THE STIPULATION FILED ON FEBRUARY 14, 1997 IN CASE 40A-264 STATES THAT 2.30 CFS (92.00 MINER'S INCHES) ARE DIVERTED THROUGH THE C-J DITCH (NWSENE SECTION 25, T7N, R13E) AND THAT 3.50 CFS (140.00 MINER'S INCHES) ARE DIVERTED THROUGH THE NOBLE DITCH NO. 2 (SENWSW SECTION 34, T7N, R13E).</p>
	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>
	<p>THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, 40A 198483-00, 40A 198487-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND IT S TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
	<p>THE STIPULATION FILED ON FEBRUARY 14, 1997 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THIS WATER RIGHT MAY NOT BE DIVERTED THROUGH NOBLE DITCH NO. 2 AFTER JULY 1.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 198483 00	THE STIPULATIONS FILED FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, 40A 198483-00, 40A 198487-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 198487 00	THE STIPULATIONS FILED FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE WATER RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, 40A 198487-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARHSAL WATER RIGHTS SHALL IMMEDIATELY CEASE.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 198487 00	<p>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 OF THE CLAIMANT'S TOTAL 928.00 ACRES. 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. 198477-00 198478-00 198479-00 198480-00 198481-00 198482-00 198483-00 198487-00</p> <p>THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF BIG ELK CREEK WHICH FLOW DIRECTLY INTO MARTIN & C-J RESERVOIR.</p>
40A 201287 00	<p>ALKALI CREEK IS USED AS A NATURAL CARRIER TO DELIVER THE WATER DIVERTED THROUGH THE E.L. SHUMAKER DITCH TO THE PLACE OF USE.</p> <p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING: THE FOLLOWING INSTRUCTIONS SHALL APPLY TO CLAIMANTS' USE OF THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE FOX REPLACEMENT DITCH IN THE NENESE SEC. 24, 7N, 13E, IN LIEU OF AND SUBSTITUTE FOR THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH IN THE NWSE SEC. 32, 7N, 13E, TO DIVERT AND USE ANY OF THE WATERS COVERED BY THESE RIGHTS, IN ORDER TO PREVENT ANY ADVERSE EFFECT OR INJURY TO THE OTHER WATER USERS ON BIG ELK CREEK AND ITS TRIBUTARIES.</p> <p>(A) THE FLOW RATE AVAILABLE FOR DIVERSION THROUGH AND BY MEANS OF THE FOX REPLACEMENT DITCH TO SATISFY THESE RIGHTS SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE AT THE E. L. SHUMAKER DITCH AS MEASURED AT THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH;</p> <p>(B) WATER DIVERTED BY MEANS OF THE FOX REPLACEMENT DITCH SHALL NOT EXCEED THE CARRYING CAPACITY OF THE EXISTING MEANS OF DIVERSION TO-WIT: A 24 INCH SLIDE GATE AT THE POINT OF DIVERSION AND 24 INCH CORRUGATED METAL PIPE, 20 FEET LONG, SERVING AS A CULVERT IN THE DITCH RUNNING UNDER THE ROAD WHICH RUNS SOUTH OUT OF TWO DOT.</p> <p>(C) THE WATER RIGHTS LISTED BELOW SHALL NOT BE SUBJECT TO CALL TO SATISFY THIS WATER RIGHT:</p> <p>(1) 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, AND 40A 6661-00</p> <p>(2) 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, AND 40A 198483-00</p> <p>(3) 40A 110017-00, 40A 110018-00, 40A 110019-00, 40A 110020-00, 40A 110021-00, AND 40A 110026-00, AND</p> <p>(4) ANY RIGHTS WITH A DATE OF PRIORITY PRIOR TO 1964 OUT OF ANY TRIBUTARY TO BIG ELK CREEK WHICH ENTERS BIG ELK CREEK AT A POINT BETWEEN THE E.L. SHUMAKER DITCH (NWSE SEC. 32, 7N, 13E) AND THE FOX REPLACEMENT DITCH (NENESE SEC. 24, 7N, 13E) INCLUDING BUT NOT LIMITED TO ANY SUCH DIVERSION FROM BEAR CREEK AND CROOKED CREEK.</p>
40A 201287 00	
	<p>THIS WATER RIGHT INVOLVES TWO RESERVOIRS. TWO DOT RESERVOIR IS ON ALKALI CREEK. EXCESS WATER IMPOUNDED BY THIS DAM FILLS AN OFF STREAM RESERVOIR WEST OF IT (FOX RESERVOIR). WATER IS TRANSFERRED FROM TWO DOT RESERVOIR TO FOX RESERVOIR VIA A SPILLWAY.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 201287 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201288 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p> <p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
40A 201289 00	<p>ALKALI CREEK IS USED AS A NATURAL CARRIER TO DELIVER THE WATER DIVERTED THROUGH THE E.L. SHUMAKER DITCH TO THE PLACE OF USE.</p> <p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING: THE FOLLOWING INSTRUCTIONS SHALL APPLY TO CLAIMANTS' USE OF THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE FOX REPLACEMENT DITCH IN THE NENESE SEC. 24, 7N, 13E, IN LIEU OF AND SUBSTITUTE FOR THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH IN THE NWSE SEC. 32, 7N, 13E, TO DIVERT AND USE ANY OF THE WATERS COVERED BY THESE RIGHTS, IN ORDER TO PREVENT ANY ADVERSE EFFECT OR INJURY TO THE OTHER WATER USERS ON BIG ELK CREEK AND ITS TRIBUTARIES.</p> <p>(A) THE FLOW RATE AVAILABLE FOR DIVERSION THROUGH AND BY MEANS OF THE FOX REPLACEMENT DITCH TO SATISFY THESE RIGHTS SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE AT THE E. L. SHUMAKER DITCH AS MEASURED AT THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH;</p> <p>(B) WATER DIVERTED BY MEANS OF THE FOX REPLACEMENT DITCH SHALL NOT EXCEED THE CARRYING CAPACITY OF THE EXISTING MEANS OF DIVERSION TO-WIT: A 24 INCH SLIDE GATE AT THE POINT OF DIVERSION AND 24 INCH CORRUGATED METAL PIPE, 20 FEET LONG, SERVING AS A CULVERT IN THE DITCH RUNNING UNDER THE ROAD WHICH RUNS SOUTH OUT OF TWO DOT.</p> <p>(C) THE WATER RIGHTS LISTED BELOW SHALL NOT BE SUBJECT TO CALL TO SATISFY THIS WATER RIGHT:</p> <p>(1) 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, AND 40A 6661-00</p> <p>(2) 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, AND 40A 198483-00</p> <p>(3) 40A 110017-00, 40A 110018-00, 40A 110019-00, 40A 110020-00, 40A 110021-00, AND 40A 110026-00, AND</p> <p>(4) ANY RIGHTS WITH A DATE OF PRIORITY PRIOR TO 1964 OUT OF ANY TRIBUTARY TO BIG ELK CREEK WHICH ENTERS BIG ELK CREEK AT A POINT BETWEEN THE E. L. SHUMAKER DITCH (NWSE SEC. 32, 7N, 13E) AND THE FOX REPLACEMENT DITCH (NENESE SEC. 24, 7N, 13E) INCLUDING BUT NOT LIMITED TO ANY SUCH DIVERSIONS FROM BEAR CREEK AND CROOKED CREEK.</p>
40A 201289 00	
	<p>THIS WATER RIGHT INVOLVES TWO RESERVOIRS. TWO DOT RESERVOIR IS ON ALKALI CREEK. EXCESS WATER IMPOUNDED BY THIS DAM FILLS AN OFF STREAM RESERVOIR WEST OF IT (FOX RESERVOIR). WATER IS TRANSFERRED FROM TWO DOT RESERVOIR TO FOX RESERVOIR VIA A SPILLWAY.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 201289 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201290 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p> <p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201290-00, 40A 201291-00, AND 40A 201295-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
40A 201291 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 201291 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201290-00, 40A 201291-00, AND 40A 201295-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201292 00	ALKALI CREEK IS USED AS A NATURAL CARRIER TO DELIVER THE WATER DIVERTED THROUGH THE E.L. SHUMAKER DITCH TO THE PLACE OF USE. THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING: THE FOLLOWING INSTRUCTIONS SHALL APPLY TO CLAIMANTS' USE OF THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE FOX REPLACEMENT DITCH IN THE NENESE SEC. 24, 7N, 13E, IN LIEU OF AND SUBSTITUTE FOR THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH IN THE NWSE SEC. 32, 7N, 13E, TO DIVERT AND USE ANY OF THE WATERS COVERED BY THESE RIGHTS, IN ORDER TO PREVENT ANY ADVERSE EFFECT OR INJURY TO THE OTHER WATER USERS ON BIG ELK CREEK AND ITS TRIBUTARIES.</p> <p>(A) THE FLOW RATE AVAILABLE FOR DIVERSION THROUGH AND BY MEANS OF THE FOX REPLACEMENT DITCH TO SATISFY THESE RIGHTS SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE AT THE E. L. SHUMAKER DITCH AS MEASURED AT THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH;</p> <p>(B) WATER DIVERTED BY MEANS OF THE FOX REPLACEMENT DITCH SHALL NOT EXCEED THE CARRYING CAPACITY OF THE EXISTING MEANS OF DIVERSION TO-WIT: A 24 INCH SLIDE GATE AT THE POINT OF DIVERSION AND 24 INCH CORRUGATED METAL PIPE, 20 FEET LONG, SERVING AS A CULVERT IN THE DITCH RUNNING UNDER THE ROAD WHICH RUNS SOUTH OUT OF TWO DOT.</p> <p>(C) THE WATER RIGHTS LISTED BELOW SHALL NOT BE SUBJECT TO CALL TO SATISFY THIS WATER RIGHT:</p> <p>(1) 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, AND 40A 6661-00</p> <p>(2) 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, AND 40A 198483-00</p> <p>(3) 40A 110017-00, 40A 110018-00, 40A 110019-00, 40A 110020-00, 40A 110021-00, AND 40A 110026-00, AND</p> <p>(4) ANY RIGHTS WITH A DATE OF PRIORITY PRIOR TO 1964 OUT OF ANY TRIBUTARY TO BIG ELK CREEK WHICH ENTERS BIG ELK CREEK AT A POINT BETWEEN THE E. L. SHUMAKER DITCH (NWSE SEC. 32, 7N, 13E) AND THE FOX REPLACEMENT DITCH (NENESE SEC. 24, 7N, 13E) INCLUDING BUT NOT LIMITED TO ANY SUCH DIVERSIONS FROM BEAR CREEK AND CROOKED CREEK.</p>
40A 201292 00	
	<p>THIS WATER RIGHT INVOLVES TWO RESERVOIRS. TWO DOT RESERVOIR IS ON ALKALI CREEK. EXCESS WATER IMPOUNDED BY THIS DAM FILLS AN OFF STREAM RESERVOIR WEST OF IT (FOX RESERVOIR). WATER IS TRANSFERRED FROM TWO DOT RESERVOIR TO FOX RESERVOIR VIA A SPILLWAY.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 201292 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201293 00	ALKALI CREEK IS USED AS A NATURAL CARRIER TO DELIVER THE WATER DIVERTED THROUGH THE E.L. SHUMAKER DITCH TO THE PLACE OF USE. THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING: THE FOLLOWING INSTRUCTIONS SHALL APPLY TO CLAIMANTS' USE OF THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE FOX REPLACEMENT DITCH IN THE NENESE SEC. 24, 7N, 13E, IN LIEU OF AND SUBSTITUTE FOR THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH IN THE NWSE SEC. 32, 7N, 13E, TO DIVERT AND USE ANY OF THE WATERS COVERED BY THESE RIGHTS, IN ORDER TO PREVENT ANY ADVERSE EFFECT OR INJURY TO THE OTHER WATER USERS ON BIG ELK CREEK AND ITS TRIBUTARIES.</p> <p>(A) THE FLOW RATE AVAILABLE FOR DIVERSION THROUGH AND BY MEANS OF THE FOX REPLACEMENT DITCH TO SATISFY THESE RIGHTS SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE AT THE E. L. SHUMAKER DITCH AS MEASURED AT THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH;</p> <p>(B) WATER DIVERTED BY MEANS OF THE FOX REPLACEMENT DITCH SHALL NOT EXCEED THE CARRYING CAPACITY OF THE EXISTING MEANS OF DIVERSION TO-WIT: A 24 INCH SLIDE GATE AT THE POINT OF DIVERSION AND 24 INCH CORRUGATED METAL PIPE, 20 FEET LONG, SERVING AS A CULVERT IN THE DITCH RUNNING UNDER THE ROAD WHICH RUNS SOUTH OUT OF TWO DOT.</p> <p>(C) THE WATER RIGHTS LISTED BELOW SHALL NOT BE SUBJECT TO CALL TO SATISFY THIS WATER RIGHT:</p>
40A 201293 00	<p>(1) 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, AND 40A 6661-00</p> <p>(2) 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, AND 40A 198483-00</p> <p>(3) 40A 110017-00, 40A 110018-00, 40A 110019-00, 40A 110020-00, 40A 110021-00, AND 40A 110026-00, AND</p> <p>(4) ANY RIGHTS WITH A DATE OF PRIORITY PRIOR TO 1964 OUT OF ANY TRIBUTARY TO BIG ELK CREEK WHICH ENTERS BIG ELK CREEK AT A POINT BETWEEN THE E. L. SHUMAKER DITCH (NWSE SEC. 32, 7N, 13E) AND THE FOX REPLACEMENT DITCH (NENESE SEC. 24, 7N, 13E) INCLUDING BUT NOT LIMITED TO ANY SUCH DIVERSIONS FROM BEAR CREEK AND CROOKED CREEK.</p>
	<p>THIS WATER RIGHT INVOLVES TWO RESERVOIRS. TWO DOT RESERVOIR IS ON ALKALI CREEK. EXCESS WATER IMPOUNDED BY THIS DAM FILLS AN OFF STREAM RESERVOIR WEST OF IT (FOX RESERVOIR). WATER IS TRANSFERRED FROM TWO DOT RESERVOIR TO FOX RESERVOIR VIA A SPILLWAY.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 201293 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 201294 00	ALKALI CREEK IS USED AS A NATURAL CARRIER TO DELIVER THE WATER DIVERTED THROUGH THE E.L. SHUMAKER DITCH TO THE PLACE OF USE. THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING: THE FOLLOWING INSTRUCTIONS SHALL APPLY TO CLAIMANTS' USE OF THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE FOX REPLACEMENT DITCH IN THE NENESE SEC. 24, 7N, 13E, IN LIEU OF AND SUBSTITUTE FOR THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH IN THE NWSE SEC. 32, 7N, 13E, TO DIVERT AND USE ANY OF THE WATERS COVERED BY THESE RIGHTS, IN ORDER TO PREVENT ANY ADVERSE EFFECT OR INJURY TO THE OTHER WATER USERS ON BIG ELK CREEK AND ITS TRIBUTARIES.</p> <p>(A) THE FLOW RATE AVAILABLE FOR DIVERSION THROUGH AND BY MEANS OF THE FOX REPLACEMENT DITCH TO SATISFY THESE RIGHTS SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE AT THE E. L. SHUMAKER DITCH AS MEASURED AT THE POINT OF DIVERSION AND MEANS OF DIVERSION FOR THE E. L. SHUMAKER DITCH;</p> <p>(B) WATER DIVERTED BY MEANS OF THE FOX REPLACEMENT DITCH SHALL NOT EXCEED THE CARRYING CAPACITY OF THE EXISTING MEANS OF DIVERSION TO-WIT: A 24 INCH SLIDE GATE AT THE POINT OF DIVERSION AND 24 INCH CORRUGATED METAL PIPE, 20 FEET LONG, SERVING AS A CULVERT IN THE DITCH RUNNING UNDER THE ROAD WHICH RUNS SOUTH OUT OF TWO DOT.</p> <p>(C) THE WATER RIGHTS LISTED BELOW SHALL NOT BE SUBJECT TO CALL TO SATISFY THIS WATER RIGHT:</p> <p>(1) 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, AND 40A 6661-00</p> <p>(2) 40A 198477-00, 40A 198478-00, 40A 198479-00, 40A 198480-00, 40A 198481-00, 40A 198482-00, AND 40A 198483-00</p> <p>(3) 40A 110017-00, 40A 110018-00, 40A 110019-00, 40A 110020-00, 40A 110021-00, AND 40A 110026-00, AND</p> <p>(4) ANY RIGHTS WITH A DATE OF PRIORITY PRIOR TO 1964 OUT OF ANY TRIBUTARY TO BIG ELK CREEK WHICH ENTERS BIG ELK CREEK AT A POINT BETWEEN THE E. L. SHUMAKER DITCH (NWSE SEC. 32, 7N, 13E) AND THE FOX REPLACEMENT DITCH (NENESE SEC. 24, 7N, 13E) INCLUDING BUT NOT LIMITED TO ANY SUCH DIVERSIONS FROM BEAR CREEK AND CROOKED CREEK.</p>
40A 201294 00	
	<p>THIS WATER RIGHT INVOLVES TWO RESERVOIRS. TWO DOT RESERVOIR IS ON ALKALI CREEK. EXCESS WATER IMPOUNDED BY THIS DAM FILLS AN OFF STREAM RESERVOIR WEST OF IT (FOX RESERVOIR). WATER IS TRANSFERRED FROM TWO DOT RESERVOIR TO FOX RESERVOIR VIA A SPILLWAY.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 201294 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201287-00, 40A 201288-00, 40A 201289-00, 40A 201292-00, 40A 201293-00, AND 40A 201294-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p>
40A 201295 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: WATER RIGHTS 40A 198477-00 AND 40A 198480-00 WERE HISTORICALLY DIVERTED FROM BIG ELK CREEK BETWEEN THE POINT OF DIVERSION KNOWN AS THE SHUMAKER-MOORE DITCH ON THE SOUTH BORDER OF SECTION 35, T7N, R13E AND THE CURRENT POINT OF DIVERSION ON THE EAST BANK OF BIG ELK CREEK, KNOWN AS THE SANFORD MOORE DITCH, IN THE NENESE SECTION 24, T7N, R13E. THE ABOVE-DESIGNATED RIGHTS, THEREFORE, ARE NOT SUBJECT TO CALL TO SATISFY WATER RIGHT 40A 201295-00.</p>
	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 201290-00, 40A 201291-00, AND 40A 201295-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 205260 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
	THE STIPULATION FILED ON FEBRUARY 14, 1997 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE OWNER OF RIGHT 40A 205260-00 MAY DIVERT ADDITIONAL WATER AT THE POINTS OF DIVERSION SHOWN FOR RIGHTS 40A 205262-00, 40A 205263-00, 40A 205264-00, AND 40A 205265-00 IN WHICH EVENT THE OWNER SHALL RELEASE AN EQUIVALENT FLOW OF WATER FROM THE RESERVOIR ASSOCIATED WITH RIGHT 40A 205260-00. THIS RELEASED WATER MAY NOT BE DIVERTED THROUGH ANY DIVERSION BETWEEN THE RESERVOIR AND THE CONFLUENCE OF CROOKED CREEK WITH BIG ELK CREEK.
	THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF BIG ELK CREEK WHICH FLOW DIRECTLY INTO MARTIN & C-J RESERVOIR.
40A 205268 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
	THE STIPULATION FILED ON FEBRUARY 14, 1997 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE OWNER(S) OF 40A 205268-00 MAY DIVERT ADDITIONAL WATER AT THE POINT OF DIVERSION LISTED ABOVE IN EXCESS OF THAT AVAILABLE IN ORDER OF PRIORITY FOR THIS RIGHT, IN WHICH EVENT, THE OWNERS(S) OF THIS WATER RIGHT SHALL RELEASE AN EQUIVALENT FLOW FROM THE RESERVOIR ASSOCIATED WITH 40A 205260-00 OR 40A 198487-00. THIS RELEASED WATER SHALL BE AVAILABLE FOR DIVERSION, IN ORDER OF PRIORITY, TO ANY WATER RIGHT BELOW SAID RESERVOIR.
	CROOKED CREEK IS USED AS A NATURAL CARRIER TO DELIVER WATER FROM HILINE DITCH. RIGHT IS LIMITED TO HIGH OR FLOOD WATERS OF BIG ELK CREEK.
40A 211043 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 211043 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 110018-00, 40A 110020-00, 40A 110021-00, 40A 110026-00, 40A 211043-00, AND 40A 30002022. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p> <p>WATER IS PUMPED INTO UPPER MONTGOMERY NO. 3 DITCH.</p>
40A 211586 00	<p>CLAIM FILED LATE 12/02/1985 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.</p> <p>WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.</p>
40A 211587 00	<p>CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.</p>
40A 211588 00	<p>CLAIM FILED LATE 12/02/1985 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.</p> <p>WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.</p>
40A 211589 00	<p>CLAIM FILED LATE 12/02/1985 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.</p> <p>WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.</p>
40A 211590 00	<p>CLAIM FILED LATE 12/02/1985 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 211590 00	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211591 00	CLAIM FILED LATE 12/02/1985 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW. WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211592 00	CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
40A 211593 00	CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
40A 211594 00	CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
40A 211595 00	CLAIM FILED LATE 12/02/1985 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW. WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211596 00	CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
40A 211597 00	CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
40A 211598 00	CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 211599 00	CLAIM FILED LATE 12/02/1985 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211600 00	CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
40A 211601 00	CLAIM FILED LATE 12/02/1985 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
	WATER DIVERTED FROM BIG ELK CREEK IS CONVEYED TO BEAR CREEK AND CROOKED CREEK WHICH ARE USED AS A NATURAL CARRIERS TO MULTIPLE SECONDARY POINTS OF DIVERSION.
40A 211602 00	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA A ROCK DAM INTO A DITCH. THE DITCH CONVEYS WATER A SHORT DISTANCE TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NESENW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA MONGOMERY DITCH NO. 2 WHICH CONVEYS WATER TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NWSESW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
	CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
40A 211603 00	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA A ROCK DAM INTO A DITCH. THE DITCH CONVEYS WATER A SHORT DISTANCE TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NESENW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA MONGOMERY DITCH NO. 2 WHICH CONVEYS WATER TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NWSESW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
	CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 211604 00	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA A ROCK DAM INTO A DITCH. THE DITCH CONVEYS WATER A SHORT DISTANCE TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NESENW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
	WATER DIVERTED FROM BIG ELK CREEK IS DIVERTED VIA MONGOMERY DITCH NO. 2 WHICH CONVEYS WATER TO A SECONDARY POINT OF DIVERSION (A PUMP) IN THE NWSESW SEC 35 TWP 8N RGE 13E WHEATLAND COUNTY.
	CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
40A 215586 00	CLAIM FILED LATE 06/28/1996 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
40A 215590 00	CLAIM FILED LATE 06/28/96 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
40A 27145 00	SOURCE INCLUDES MULTIPLE BRAIDED CHANNELS OF BIG ELK CREEK.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 30002022	<p>**WATER MEASUREMENT AND RECORDS REQUIRED</p> <p>THE APPROPRIATOR SHALL INSTALL DEPARTMENT-APPROVED MEASURING DEVICES IN THE FREESER-MONTGOMERY DITCH, THE DUNNING DITCH, AND THE DIVERSION WORKS FOR THE TWO CENTER PIVOTS. THE LOCATION OF THE MEASURING DEVICES MUST BE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICES ARE IN PLACE AND OPERATING. THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED UNDER EACH WATER RIGHT, AND BY EACH OF THE DIVERSION FACILITIES, INCLUDING THE PERIOD OF TIME.</p> <p>RECORDS OF APPROPRIATIONS FOR EACH SET OF DIVERSION WORKS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT RECORDS MAY BE CAUSE FOR REVOCATION OF THE AUTHORIZATION. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICES SO THEY ALWAYS OPERATE PROPERLY AND MEASURE THE FLOW RATE AND VOLUME OF WATER ACCURATELY.</p> <p>SUBMIT RECORDS TO: LEWISTOWN WATER RESOURCES REGIONAL OFFICE 613 NE MAIN ST, SUITE E LEWISTOWN, MT PHONE: 406-538-7459 FAX: 406-538-7012</p>
	<p>THE COMBINED VOLUME OF WATER ASSOCIATED WITH USE (CENTER PIVOT IRRIGATION) ON STATE-OWNED SCHOOL TRUST LAND (LOCATED IN SECTION 36, T8N, R13E) IS A DIVERTED VOLUME OF UP TO 101.4 AF. THE DIVERTED VOLUME SPECIFICALLY ASSOCIATED WITH EACH WATER RIGHT ON STATE-OWNED LAND IS THE FOLLOWING: 66.4 AF FOR 40A 110020; AND 35.0 AF FOR 40A 30002022.</p> <p>THE COMBINED VOLUME OF WATER ASSOCIATED WITH CENTER PIVOT AND FLOOD IRRIGATION ON LAND OWNED BY MCFARLAND WHITE RANCH INC. (567.05 ACRES) IS A DIVERTED VOLUME OF UP TO 556.0 AF. THE DIVERTED VOLUME SPECIFICALLY ASSOCIATED WITH EACH WATER RIGHT ON MCFARLAND WHITE RANCH INC LAND IS THE FOLLOWING: 364.2 AF FOR 40A 110020; AND 191.8 AF FOR 40A 30002022.</p>

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 30002022	THE FOLLOWING CLAIMED WATER RIGHTS INCLUDE PLACES OF USE THAT OVERLAP WITH THE HISTORIC OR AUTHORIZED PLACES OF USE OF THE WATER RIGHTS CHANGED IN THIS MATTER: 40A 211602, 40A 211603, 40A 211604, 40A 215590 AND 40A 110026. THIS CHANGE AUTHORIZATION SHALL BE REVOKED IF WATER IS APPROPRIATED UNDER ANY OF THE ASSOCIATED WATER RIGHTS, ON ANY OF THE 654.1-ACRE PLACE OF USE.
	UTILIZATION OF WATER RIGHT NOS. 40A 110020 AND 40A 30002022 ARE SUBJECT TO A SEPARATE AGREEMENT BETWEEN THE OWNER OF THE RIGHTS AND DEADMAN'S BASIN WATER USERS' ASSOCIATION.
40A 5024 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE. THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
	THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, 40A 6661-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
40A 5025 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 5025 00	THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, 40A 6661-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER SHALL IMMEDIATELY CEASE.
40A 5026 00	<p>THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.</p> <p>THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, 40A 6661-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.</p>
40A 5027 00	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.

E064 BIG ELK CREEK 40A DISTRIBUTION AREA

COMMISSIONER REMARKS INDEX

Water Right #	Remark
40A 5027 00	THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, 40A 6661-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.
	THE STIPULATION FILED ON FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDES THE FOLLOWING PROVISION: "FOR PURPOSES OF ENFORCING THE BIG ELK DECREE, THE MEANS OF DIVERSION OF ALL PARTIES SHALL BE LIMITED TO THE CARRYING CAPACITY OF THE DITCHES AT THE POINT OF DIVERSION EXISTING AS OF THE DATE OF THIS STIPULATION." A COPY OF EACH PARTY'S STATEMENT HAS BEEN ADDED TO THAT PARTY'S CLAIM FILES.
40A 6661 00	THE STIPULATIONS FILED ON FEBRUARY 14, 1997 AND FEBRUARY 11, 2002 IN CASE 40A-264 INCLUDE THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE WATER RIGHTS LISTED BELOW MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS PLACES OF USE AND POINTS OF DIVERSION OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 5024-00, 40A 5025-00, 40A 5026-00, 40A 5027-00, 40A 6661-00. IN THE EVENT THAT THE FLOW IN BIG ELK CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JULY 1, 1921, ALL RIGHTS TO MARSHAL WATER RIGHTS SHALL IMMEDIATELY CEASE.