

STATE OF MONTANA
 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

5424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 43B 7471-00 GROUND WATER CERTIFICATE

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: YELLOWSTONE RIVER RANCH ESTATES LLC
 104 W SUPERIOR ST
 DULUTH, MN 55802-3000

Priority Date: FEBRUARY 13, 1976 at 02:40 P.M.

Enforceable Priority Date: FEBRUARY 13, 1976 at 02:40 P.M.

Purpose (use): DOMESTIC
 STOCK

Maximum Flow Rate: 15.00 GPM

Maximum Volume:

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWE	26	5S	8E	PARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Well Depth: 192.00 FEET

Static Water Level: 157.00 FEET

Casing Diameter: 6.00 INCHES

Purpose (Use): DOMESTIC

Households: 1

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWE	26	5S	8E	PARK

Purpose (Use): STOCK

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWE	26	5S	8E	PARK

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE ID # 38230 RECEIVED 04/07/2006.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 43B 23533-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: YELLOWSTONE RIVER RANCH ESTATES LLC
104 W SUPERIOR ST
DULUTH, MN 55802-3000

Priority Date: JUNE 5, 1905

Enforceable Priority Date: JUNE 5, 1905

Type of Historical Right: USE

Purpose (use): STOCK

Maximum Flow Rate:

Maximum Volume:

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

Source Name: YELLOWSTONE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2	23		5S	8E	PARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Purpose (Use): STOCK

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	23		5S	8E	PARK

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE ID # 18051 RECEIVED 11/29/2004.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 43B 23534-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: YELLOWSTONE RIVER RANCH ESTATES LLC
104 W SUPERIOR ST
DULUTH, MN 55802-3000

Priority Date: MAY 1, 1951

Enforceable Priority Date: MAY 1, 1951

Type of Historical Right: FILED

Purpose (use): STOCK

Maximum Flow Rate: 25.00 GPM

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

Source Name: CHICO HOT SPRINGS

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESW	1	6S	8E	PARK

Period of Diversion: SEPTEMBER 1 TO MAY 4

Diversion Means: DITCH

Purpose (Use): STOCK

Period of Use: SEPTEMBER 1 to MAY 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	23	5S	8E	PARK
2			E2	23	5S	8E	PARK
3				26	5S	8E	PARK
4			E2E2	34	5S	8E	PARK
5			N2	35	5S	8E	PARK

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE ID # 18051 RECEIVED 11/29/2004.

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

GENERAL ABSTRACT

Water Right Number: 43B 23535-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: YELLOWSTONE RIVER RANCH ESTATES LLC
 104 W SUPERIOR ST
 DULUTH, MN 55802-3000

Priority Date: OCTOBER 23, 1907
Enforceable Priority Date: OCTOBER 23, 1907

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Maximum Flow Rate: 10.00 CFS

Maximum Volume:

Maximum Acres: 291.00

Source Name: EMGRANT CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSENE	14	6S	8E	PARK

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: HEADGATE

Ditch Name: PIERCE DITCH

DITCH NAME: PIERCE DITCH

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Climatic Area: 4 - MODERATELY LOW

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	186.00			26	5S	8E	PARK
2	45.00		E2E2	34	5S	8E	PARK
3	60.00		N2	35	5S	8E	PARK
Total:	291.00						

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE ID # 18051 RECEIVED 11/29/2004.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 43B 23536-00 STATEMENT OF CLAIM
Version: 4 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

Owners: YELLOWSTONE RIVER RANCH ESTATES LLC
104 W SUPERIOR ST
DULUTH, MN 55802-3000

Priority Date: MAY 1, 1905
Enforceable Priority Date: MAY 1, 1905

Purpose (use):
Maximum Flow Rate:
Maximum Volume:

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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Remarks:

OWNERSHIP UPDATE RECEIVED
OWNERSHIP UPDATE ID # 18051 RECEIVED 11/29/2004.

STATE OF MONTANA
 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 43B 23537-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: YELLOWSTONE RIVER RANCH ESTATES LLC
 104 W SUPERIOR ST
 DULUTH, MN 55802-3000

Priority Date: APRIL 20, 1912

Enforceable Priority Date: APRIL 20, 1912

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Maximum Flow Rate: 2.00 CFS

Maximum Volume:

Maximum Acres: 291.00

Source Name: EMGRANT CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	14	6S	8E	PARK

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: HEADGATE

Ditch Name: PIERCE DITCH

DITCH NAME: PIERCE DITCH

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Climatic Area: 4 - MODERATELY LOW

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	186.00			26	5S	8E	PARK
2	45.00		E2E2	34	5S	8E	PARK
3	60.00		N2	35	5S	8E	PARK

Total: 291.00

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE ID # 18051 RECEIVED 11/29/2004.

STATE OF MONTANA
 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O. BOX 201901 HELENA, MONTANA 59620-1901

GENERAL ABSTRACT

Water Right Number: 43B 23538-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: YELLOWSTONE RIVER RANCH ESTATES LLC
 104 W SUPERIOR ST
 DULUTH, MN 55802-3000

Priority Date: AUGUST 18, 1903
 Enforceable Priority Date: AUGUST 18, 1903

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Maximum Flow Rate: 3.00 CFS

Maximum Volume:

Maximum Acres: 291.00

Source Name: EMIGRANT CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	14	6S	8E	PARK

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: HEADGATE

Ditch Name: PIERCE DITCH

DITCH NAME: PIERCE DITCH

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Climatic Area: 4 - MODERATELY LOW

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	186.00			26	5S	8E	PARK
2	45.00		E2E2	34	5S	8E	PARK
3	60.00		N2	35	5S	8E	PARK
Total:	291.00						

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE ID # 18051 RECEIVED 11/29/2004.

STATE OF MONTANA
 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 43B 23539-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: YELLOWSTONE RIVER RANCH ESTATES LLC
 104 W SUPERIOR ST
 DULUTH, MN 55802-3000

Priority Date: MAY 1, 1951
Enforceable Priority Date: MAY 1, 1951

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Maximum Flow Rate: 5.00 CFS
Maximum Volume:
Maximum Acres: 291.00

Source Name: CHICO HOT SPRINGS
Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SW	SE	SW	1	6S	8E	PARK

Period of Diversion: SEPTEMBER 1 TO MAY 4
Diversion Means: HEADGATE

Purpose (Use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD
Climatic Area: 4 - MODERATELY LOW
Period of Use: SEPTEMBER 1 to MAY 4
Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	186.00					26	5S	8E	PARK
2	45.00		E2	E2	34	5S	8E	PARK	
3	60.00		N2	35	35	5S	8E	PARK	
Total:	291.00								

Remarks:
 NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.
 NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/91.
 OWNERSHIP UPDATE RECEIVED
 OWNERSHIP UPDATE ID # 18051 RECEIVED 11/29/2004.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O BOX 201901 HELENA, MONTANA 59620-1901

CHANGE AUTHORIZATION 'GENERAL ABSTRACT'

Change Authorization Issue Date: NOVEMBER 4, 1988

Application From: YELLOWSTONE RIVER RANCH ESTATES LLC
104 W SUPERIOR ST
DULUTH, MN 55802 3000

Water Right	<u>Wr #</u>	<u>Ext</u>	<u>Type</u>
Number(s) Changed:	43B 23536	00	STATEMENT OF CLAIM

Change Description:

THIS IS A CHANGE IN POINT OF DIVERSION.

CONDITIONAL APPROVAL

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

FAILURE TO COMPLY WITH ANY OF THESE TERMS AND CONDITIONS MAY RESULT IN THE LOSS OF THIS CHANGE AUTHORIZATION.

THE INFORMATION SHOWN BELOW REFLECTS THE ENTIRE WATER RIGHT.
 AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM ALTERED BY THIS CHANGE AUTHORIZATION.

Water Right Number: 43B 23536-00 STATEMENT OF CLAIM
 Version: 3 -- CHANGE AUTHORIZATION
 Version Status: ACTIVE

Owners: YELLOWSTONE RIVER RANCH ESTATES LLC
 104 W SUPERIOR ST
 DULUTH, MN 55802 3000

Priority Date: MAY 1, 1905
 Enforceable Priority Date: MAY 1, 1905

Purpose (use): IRRIGATION
 Maximum Flow Rate: 3.00 CFS

Maximum Acres: 291.00
 Source Name: MILL CREEK
 Source Type: SURFACE WATER

*Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	3	6S	9E	PARK
Period of Diversion: APRIL 1 TO NOVEMBER 30						
Diversion Means: HEADGATE						

*2		SENWSW	2	6S	9E	PARK
Period of Diversion: APRIL 1 TO NOVEMBER 30						
Diversion Means: HEADGATE						
Ditch Name: PIPE LINE AND DITCH						

Purpose (Use): IRRIGATION
 Irrigation Type: SPRINKLER/FLOOD
 Climatic Area: 4 - MODERATELY LOW
 Period of Use: APRIL 1 to NOVEMBER 30
 Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	186.00			26	5S	8E	PARK
2	45.00		E2E2	34	5S	8E	PARK
3	60.00		N2	35	5S	8E	PARK
4	110.00		E2	23	5S	8E	PARK
5	10.00		SESE	26	5S	8E	PARK
Total:	411.00						

DECREED STREAM - COMMISSIONER

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO MEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE ID # 18051 RECEIVED 11/29/2004.