EXHIBIT 5
DATE 2/17/11
HB 524

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CLARKS FORK YELLOWSTONE RIVER
BASIN 43D

IMPORTANT NOTICE

AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY ORDER OF THE MONTANA WATER COURT AFTER ISSUANCE OF THE PREVIOUS DECREE.

No ditch right
No Historical and Beneficial use

Water Right Number: 43D 195945-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Status: ACTIVE

Owners: BARBARA M RYAN
629 W BENCH RD
ROBERTS, MT 59070

S C RYAN
629 W BENCH RD
ROBERTS, MT 59070

Priority Date: MAY 5, 1894

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 4.17 CFS

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

Climatic Area: 3 - MODERATE

***Maximum Acres:** 108.00

***Source Name:** ROCK CREEK

Source Type: SURFACE WATER

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

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESWSE	24	6S	20E	CARBON

Diversion Means: HEADGATE

Ditch Name: HUNTER-RUSSETT DITCH

WATER IS DIVERTED FROM ROCK CREEK AND CONVEYED TO DRY CREEK THROUGH THE HUNTER-RUSSETT DITCH. THE WATER IS CARRIED THROUGH THE NATURAL CHANNEL OF DRY CREEK THEN SUBSEQUENTLY DIVERTED FROM DRY CREEK BY THE MATTSON DITCH (ALSO KNOWN AS THE HUNTER-RUSSETT DITCH) AND BY THE VANNOY DITCH (ALSO KNOWN AS THE HILL AND VANNOY DITCH).

Period of Use: APRIL 1 TO OCTOBER 4

A

Log of Ditch for Month 1963

Hunter-Russitt

Ernest Kohrs
77 - 96
J. Eckerbt
77 - 96
W. Schwab
65 - 98
Danny
75 - 98
Louma
144 - 98 x 500
J. Mattison
154 - 98
Finn Ditch
191 - 190
1626 - 1912 x 6660
Johnson
100 - 95 200 500
W. Johnson
50 - 95 100 x 250
50 - 96
C. H. Johnson
100 - 96 x 350
Bell
100 - 96
Hill Bros
150 - 96 x 500
150 - 97
B. M. Bertolino
80 - 97

BEARTOOTH ~~Electric~~ CO-OPERATIVE, INC.
Ernest Louma place is now S.C. Ryan & Barbara M. Ryan as you can see there is no 1894 water recorded in the Hunter-Russitt Ditch in 1963

~~P.O. BOX 1110 RED LODGE, MT 59068 406-446-2310~~

BEARTOOTH ~~Electric~~ CO-OPERATIVE, INC.
Ernest Louma place & Hilbert Johnson place is now S.C. Ryan & Barbara M Ryan and David C Ritter & Catherine P. Ritter as you can see there is no 1894 water recorded in the Finn Ditch in 1963

~~P.O. BOX 1110 RED LODGE, MT 59068 406-446-2310~~

B

96

98

1901

Ditch

Boyd

98

Cadagle

98

Johnson

98

Johnson

98

Johnson

98

Barrett Ditch Hunter Russell Ditch

Jackson

96

Ditch McGillen

96

Johnson

98

Lucas

98

Lucas

98

Nelson

98

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

~~BEAVERCREEK ELECTRIC CO-OPERATIVE, INC.~~

Ernest Lucas place is now S.C. Ryan & Barbara M Ryan as you can see there is no 1894 water recorded in the Hunter-Russell Ditch in 1968

~~P.O. BOX 1110 RED LODGE, MT 59068 406-446-2810~~

South Fork