

*Copy for official record*

ABBREVIATED TESTIMONY TO THE INTERIM WATER POLICY COMMITTEE  
MONTANA WATER USE ACT & RETROACTIVE DESTRUCTION OF VESTED  
WATER RIGHTS

I'm Maxine Korman and my family owns a ranch southwest of Hinsdale. This ranch is comprised of patented parcels that are primarily patented under the Stock-Raising Homestead Act, vested water rights and "fee lands" where our vested water rights are located.

I realize there are time restraints and so I will try to limit my comments and so I may not be able to explain things as clearly as I would like. I would like to call your attention to the legal books and resources we have used to find our information: "Storm Over Rangelands, Private Rights on Federal Lands" by Mr. Wayne Hage. This book is in the United States Supreme Court law library. We have also used "Water Rights in the Western States" by Samuel Wiel and "Water Rights Laws in the 19 Western States" by Wells Hutchins, multiple legal dictionaries, Bouvier's legal dictionary and encyclopedia, American Jurisprudence encyclopedia and "Public Land Laws" by the General Land Office, published in 1912. I have included a more complete written statement for each of you. I hope you will find time to read it and I have included our email and phone number in case anyone would like to discuss anything presented about this. I also have a copy to submit for the official record. *also state patent & affidavit*

We have been trying since an EQC meeting on Sept. 12, 2006 to find out why Montana, one of the Prior Appropriation doctrine states does not recognize nor make provision for adjudication of vested water rights. In order to help you understand our question we need to explain that the Act of 1866 and Livestock Reservoir Site Act of 1897 have been judicially recognized as grants from the government and grants have the same effect as the issuance of a patent. The federal government had given their permission for private rights to be acquired on federal land. The United States Supreme Court has legally defined public land as open to sale, disposal, entry or settlement under the general land laws and to which no private right or claim has attached. By the various legal sources, water rights acquired under R.S. 2339,2340 the Act of 1866 and the following amendments that pre-date statutory or "permitting law" are recognized as vested. The United States Fish & Wildlife Service website has a water rights definition page which says for vested: an appropriative right established by actual use of water prior to enactment of a State water permit system is known as vested. Of all of the prior appropriation doctrine states Montana was the last state to pass permitting law and that was the Water Users Act July 1, 1973. No water rights before that date are recognized as vested under the Water Users Act. Nevada recognizes water rights before 1904 as vested and provides for adjudication of vested rights, New Mexico recognizes water rights before 1907 as vested, provides for recording as and adjudicating as and South Dakota passed permitting law in 1955 and water rights before that are recognized as vested.

It is important to understand what the elements of the appropriative right are :it is real estate, is an estate of fee simple and in property is recognized in the nature of a "fee" or owning the inheritable right of use and can only be taken by due process and just compensation. It arose on the federal land or public domain and it is vested property protected under the federal constitution. It is independent of ownership or possession of the land and independent of the manner, means, place or purpose of use or point of

diversion. It carried with it the right of access and impoundment into the future and a change in any of these elements was not considered to forfeit the priority and be a new appropriation but was the same appropriative vested right. Simply, the right is independent of point of diversion and manner, place or purpose of use.

It is necessary to know this history in order to study the Water Users Act and see if there are any parts that impair, diminish, divest or destroy vested water rights. The legislature created "exempt" and the water court judge is on record that they don't show up on a decree and can't be brought into any court. American Jurisprudence had this to say about exemption : "NOT A VESTED RIGHT, BUT ONE THE VALIDITY OF WHICH IS TO BE DETERMINED IN MOST INSTANCES BY THE CONDITIONS WHICH EXIST AT THE TIME WHEN THE PRIVILEGE IS CLAIMED. IT IS A RIGHT MOREOVER, WHICH IS PURELY PERSONAL TO THE ONE IN WHOSE FAVOR IT EXISTS AND HE MAY WAIVE IT OR BE ESTOPPED TO ASSERT IT. Maxims in MCA apparent non-existence : that which does not appear to exist is to be regarded as if it did not exist. It is interesting to contrast that with the necessity of the federal McCarran amendment so that federal reserved water rights could be adjudicated in state courts. Until then those rights were not formally listed and were phantom. But it is apparently appropriate and acceptable to do that to Montana ranchers and their ownership of vested water rights . That seems to be a denial of due process and equal protection. Mr. Hall is also on record saying that they have known for a long time that this law leaves a certain group of people without a court to go to. Both Mr. Hall and Director Sexton are in agricultural publications stating that " these people need to find a court to go to." That would seem to be an admission that they have known that this law violates both the federal and state constitutions with respect to denial of due process and equal protection.. This is about the same rights referred to in the Organic Act as claims of vested rights. When we tried to get the law fixed, Mr. Hall called repeatedly asking me to agree to call them existing because that is what they are and telling me I didn't want vested because it didn't mean what I thought it meant and didn't do what I thought it did.

I want to point out some of the statements we have gotten from various state employees: 1) legislative policy analyst that the BLM has reserved water rights when in fact they do not 2) Mr. Petesh: before the Taylor grazing act a rancher could acquire water rights on the public domain but after the Taylor Grazing Act they were a lessee- JUST LIKE ON STATE LANDS and couldn't have a water right. The Taylor Grazing Act has a savings provision with the exact language as the Act of 1866. Otherwise this would have amounted to a takings because a later-passed law would have destroyed pre-existing vested rights. If that were the case we would not have an assignment of range improvements, including reservoirs from the previous owners where they assigned all right title and interest (that is federal law) With respect to state lands the law said if all the lands were not surveyed before statehood, then they did not receive a land patent until after survey, acceptance and approval of the plat map by the general land office and then the patent would be issued, subject to prior rights. The state grant patents show the date of survey and acceptance, issuance of patent and show the clause SUBJECT TO VESTED AND ACCRUED WATER RIGHTS- Act of 1866. They have refused our filing for stockwater on state grant sections and are applying the riparian doctrine. Interior Decision Arizona states that under the Prior Appropriation doctrine a state accepts the section encumbered with whatever private rights already exist or select an in

lieu section. This decision had also recognized the vested water right as its own estate. We are not claiming stockwater rights as lessees but under the prior appropriation doctrine as our predecessors were using the water for stockwatering before the state was issued patent 3) We have letters from dnrc telling us the BLM owns the land & water . That is the riparian doctrine. We also had gotten a copy of the letter the Glasgow dnrc had sent to the BLM informing the BLM that we were filing for water rights even though the dnrc has never sent us a postcard as the BLM files both stockwater and wildlife water rights and they have also told us that the BLM has already filed and they the dnrc won't accept duplicate filings. Prior to the Interior Decision Arizona, the Interior Board of Land Appeals Decision A.T. West & Sons came out that if land is withdrawn and disposed of and there are vested and accrued water rights, then there must remain sufficient easement for the exercise of that right. Are ranchers in Montana denied the benefit of those rulings since Montana does not appear to honor the original creation of those vested water rights?

The legislature also created the provisional permit for water rights after the Water Use Act. The dnrc will have authority to alter or revoke those. A stockwater reservoir that is an extension of the vested and accrued water right is subject to no contingency. A later created agency and a later created law that can impair or diminish a pre-existing property right is a takings and that is a violation of my constitutionally secured rights.

I would like to obtain the following information: an estimate of the number of claims that could be brought against the state for those parts of the Water Use Act that retroactively impair or destroy vested water rights, an estimate of the cost to the state in litigation expense and an estimate of payments the state will be making for violations of federal and state constitutionally secured rights and lastly, where will that money come from.

Thank you for your time and attention.

*Majie Korman*

TESTIMONY TO THE INTERIM WATER POLICY COMMITTEE  
MONTANA WATER USE ACT & DESTRUCTION OF VESTED WATER RIGHTS

My name is Maxine Korman and my family owns a ranch southwest of Hinsdale. This ranch is comprised of patented parcels, vested water rights and "fee lands" where vested water rights are located on federal land. In a previous appearance, testimony for HB 711 "TO RECOGNIZE VESTED WATER RIGHTS ON FEDERAL LAND" a group of eight of us were allowed twenty minutes total. Since I had spoken last, the chairman interrupted my testimony that the time was up. I was not allowed to present the testimony that I had prepared. The first thing I would like to do is request the courtesy of the opportunity to be heard. I have an exact copy of my statement and exhibits that I will turn in and ask they be entered into the official record. In the past, it has taken three requests to obtain a certified copy of my testimony and exhibits and they appeared to be incomplete and pages were re-arranged out of order so that some of the material then did not make sense. I am hopeful this will not happen this time.

On Sept. 12, 2006, at a meeting of the environmental Quality Council. we had the opportunity to ask questions about the current Montana water law and the ongoing water adjudication. We had asked for this review to see if the protection of our vested water rights that originated on what was public domain or public land are in agreement with the United States Court of Federal Claims in "Hage v. U.S." One part of this decision stated that Hage owned VESTED water rights on federal land and that these vested water rights had been acquired and maintained by his predecessors-in-interest. These vested water rights were created by the Act of 1866 which reads in Section 9: "And be it further enacted, That whenever by priority of possession, rights to the use of water for mining, agriculture, manufacturing or other purposes have vested and accrued, and the same are recognized and acknowledged by the local customs, laws and decisions of the courts, the possessors and owners of such rights shall be maintained and protected in the same." This Prior Possessory Doctrine can be traced back to the books of Genesis, Judges and Joshua. In the Report U.S. House of Representatives "LAWS OF THE UNITED STATES UPON WHICH THE PUBLIC LAND TITLES HAVE DEPENDED" by the Public Land Commission THE Act of March 26, 1804( V1 p295 sec. 14) dividing Louisiana into two Territories said in part: shall not be construed to make null and void any bona fide grant made agreeably to the laws, usages and customs of the Spanish Government. Bouvier's Law Dictionary( V 2 page 1867) includes 'Las Partides' which is the name of a code of Spanish law 'Las Siete Partidas' or the seven parts. One of those parts of law was for stockmarks, watercourses, ranges and roundups and the acquisition of surface use rights as the sovereign retained the mineral estate and was continued in the United States as Kearney's Code. The United States Supreme Court has held that Kearney's Code was as valid as any law The significance of the phrase "laws, usages and customs of the Spanish Government" or in other acts "of the Mexican Government" can be found in the Arizona court decision Boquillas v. Curtis where the court stated that the Mexican law more resembled the law of appropriation than the riparian law of the common law. The California courts were the first to have to deal with property disputes about possessory claims arising on the public domain and other territories, including Montana based their law on California and those early court decisions. After the federal Congress passed the Act of 1866, which applied to the Arid Region that is west of the one hundredth meridian,

to originally protect the property created by miners from confiscation by the federal government, the United States Supreme Court in 1878 *Jennison v. Kirk* said: "The object of the statute for protection of water rights recognized by local customs, laws and decisions of courts, is to give the sanction of the United States to possessory rights which had previously rested solely upon local customs, laws and decisions of court and to prevent such rights from being lost on sale of lands. This law merely recognized the obligation of the government to respect private rights which had grown up under its tacit consent and approval. It proposed no new system, but sanctioned, regulated and confirmed a system already established to which people were attached. This same court in *Broder v Natoma Water Co* 1879; It is established doctrine of this court that rights of persons for purposes of mining and agriculture had, by its conduct recognized and encouraged and was bound to protect. The section of the act was rather a voluntary recognition of a pre-existing right of possession." That same court in the *California Oregon Power Co. v Beaver Portland Cement Co.* in 1935 pointed out that with the Act of 1866 and the Desert Land Act, the title to all the unappropriated water had been severed from the then public domain. The legal encyclopedia *American Jurisprudence* (Volume 56) on Watercourses stated on pages 741 and 742 means or method of acquiring a vested and continuing right to take a definite quantity of water from a natural watercourse, known as "the doctrine of prior appropriation" and is a property right of which he cannot be deprived without compensation and which is invested with the usual incidents of property rights generally..Page 744 states the following: every state is free to change its laws governing rights in respect of its natural watercourses in so far as they do not interfere with EXISTING VESTED RIGHTS. Further, such provisions will not be permitted to operate to the impairment or destruction of vested rights.

"Water Rights in the Western States" 3<sup>rd</sup>, 1911 by Samuel Wiel beginning with section 89 on page 97 states that the Federal government had tacitly transferred the Federal title to the waters diverted- a permanent title of the dignity of a fee and equal to subsequent patent- equivalent to a patent. *Irwin v. Phillips* the original precedent declared that by its conduct in permitting "free and unrestrained occupation" the United States had conferred or recognized a full right in the appropriator with all the force of res judicate. In *Conger v Weaver* Judge Heydenfeldt said: "every judge is bound to know the history and the leading traits which enter into the history of the country where he presides. He went on: these acquired rights rest upon the doctrine of presumption of a grant of right- a vested right which cannot be taken away." The courts have given them the recognition of legal freehold estates." In section 97 on page 113 Wiel goes on: That Act of 1866, for all diversions of water on public land declares a grant from the United States to the appropriator equal in force with and equivalent to, a patent to riparian land. The Supreme Court of the United States called the act an unequivocal grant (*Broder v Natoma Water Co.*)

Chapter 13 section 285 on page 301 Wiel discusses Elements of Right and says a water right by appropriation is not only real estate, but has all the dignity of and is an estate of fee simple or freehold. All doubts of that were put to rest by the Act of 1866 and all the freehold remedies are allowed in court and the appropriator is the owner as against all the world. Section 281 on page 294 entitled INDEPENDENT OF MODE OF ENJOYMENT rule that the right is independent of ownership or possession of any land, and independent of the manner, means, place or purpose of use or point of diversion.

Further, possession of a stream on public land being the right (United States permitting absolute freedom in the matter) the possession could be shifted from place to place or purpose to purpose. This is because appropriation is the doctrine of separate ownership of land and water and title to land is in no way concerned. We may now quote from a Montana case;” The legal title to the land upon which a water-right acquired by appropriation made on the public domain is used or intended to be used in no way affects the appropriator’s title to the water right.”(Smith v Deniff 24 Mont.20) On page 303 section 287 a water right by appropriation is not within the term land;is not subordinate to any land, but independent thereof and of equal dignity therewith and hence, not an easement. An appropriation, a diversion on public land is a grant from the United States constituting a freehold indefeasible usufructuary estate and on page 410 that storage as an aid to irrigation or other use ( as opposed to speculation) is a useful purpose and water may be appropriated for storage

Chapter 22 beginning on page 529 deals with change of mode of enjoyment, change of means of use, change of point of diversion, change of place of use and change of purpose of use. The law has always considered that a right of property was conferred and the owner may enjoy it as he will, so long as he does no injury to others There has been litigation that a change forfeits priority. The decisions have settled the rule that change of means, place, or purpose of use or of diversion does not forfeit priority .It is the same vested water right. The right is hence independent of point of diversion and manner, place or purpose of use.

This leads to the well-settled point of constitutional law that a law that retroactively impairs or destroys a vested right is a denial of due process. That is unconstitutional. Those parts of a law that do that are illegal, null and void and it is as if never passed. At the EQC meeting on Sept. 12, 2006 certain things were brought to light. Mr. Petesh, legislative counsel had stated that Mr. Hage had vested water rights because Nevada law said water rights before 1904 were vested. I would like to offer that the water rights in litigation were not on Mr. Hage’s patented parcels but on what the United States Court of Claims identified as his “fee land”. Those were Act of 1866 vested water rights, located on federal land under well-settled law that the sovereign had given permission.The vested water rights are the reason the court said Mr. Hage owned the inheritable right of use of those lands where those waters arise. The date in 1904 is because that is when Nevada passed water permitting law. Nevada has statutory provision for the adjudication of vested water rights.Other examples would be in New Mexico water rights before 1907 are recognized, recorded as and adjudicated as vested water rights. South Dakota law recognizes permitting law passed in 1955 and water rights before that date are vested. That should be of special note since Montana and South Dakota were originally part of the same territory and these states mentioned are prior appropriation doctrine states. In Montana’s Organic Act Section 6 it said;”Provided however, That in all claims of vested rights thereunder, the party claiming the same shall not, by reason of anything in this section contained be precluded from making and testing said claims in the courts of said territory.” Mr. Petesh didn’t explain why Montana, as the last state to pass permitting law with the Water Use act of July 1, 1973 doesn’t recognize vested water rights as rights that pre-date the Water Use Act. Ballentine’s Law Dictionary 1916 edition for vested water rights says see accrued water right. Accrued water right meaning within U.S. R.S. 2339,2340, which is the act of 1866 and defined where

jurisdiction had not recognized doctrine of prior appropriation. Ballentine's 3<sup>rd</sup> edition had said accrued water rights are Rights in waters which have vested prior to the adoption or enactment of a constitutional or statutory provision affecting the right of appropriation and refers to 56 Am Jur Waters sec. 295. "Stroud's judicial dictionary words and phrases judicially interpreted" to 'vest' generally means to give the property in and is a word which has acquired a definite meaning, carrying with it definite legal consequence.

The legislatively created classification of exempt was brought up at the EQC. Water judge Lobel pointed out that these don't show up on a decree and an owner of exempt rights can't get into court. On page 31 of the Nevada State Engineer's Report on the Monitor Valley Adjudication reference is made to the McCarran Amendment and that until the enactment, the federal government claims water rights which are nowhere formally listed, which are not the subject of any decree and which therefore, are largely etheric. To have these federal rights in a state of uncorrelated mystery is frustrating and completely contrary to orderly procedure- and this is equally true from the standpoint of the United States as well as Colorado and its citizenry (U.S. v City and County of Denver 656 8 Colo, 1982) The Water Users Act has done that to an unknown number of unquantified vested water rights. We filed 75 of those and paid the DNRC \$3,000.00 in filing fees for property that we cannot get into court to defend - property that now appears not to exist and so obviously we don't own. In Gila Water Co. v. Green (232 P. 1016, 1017, 27 Az. 318) the court stated ;" One complying with local laws for appropriation of water and constructing works for diversion thereof on vacant public lands of the U.S. acquires "vested and accrued right" within R.S. 2339, 2340, which is superior to rights of subsequent entryman and carries with it right of way or easement for impounding water." The Montana Constitution guarantees everyone a court to go to and a speedy remedy. I would argue that there has been a destruction of the vested water right because it was said in Merritt v. Ash Grove Lime & Portland Cement Co . "It is only a vested right which cannot be taken away except by due process of law. Under the constitutional provision that private property shall not be taken or damaged for public use without just compensation, owner has absolute right to damages whenever his property is taken or damaged for public use and it is immaterial whether the damages are ascertained before or after the injury, since such right is a vested property right"- People ex rel.O'Meara v. Smith. The exempt rights don't show up and this is in Maxims in MCA 1-3-221: Apparent nonexistence. That which does not appear to exist is to be regarded as if it did not exist. The added consequence to water rights that will not show up because the legislature declared them to be exempt is found in the definition of "public lands." Ballentines 1916: public domain same as public lands and public lands such lands as are open to sale or other disposition under general laws. Ballentines 3<sup>rd</sup>: Land of the United States or a state, particularly land open to public sale or other disposition under general laws 42 Am Jur 1<sup>st</sup> Pub L sec 13. Am Jur page 794 sec. 13: Land to which any claims or rights of others have attached does not fall within this designation (cite United States Supreme Court Bardon v N.P.R.) Vacant lands are such as are absolutely free, unclaimed and unoccupied. Bouviers also says such lands of the United States as are open to sale or other disposition under general laws,cited Bardon as well as Newhall v. Sanger. Nor does the term include lands to which any claims or rights of others have attached. The fee in unsold lands is either in the federal or state government. Blacks law dictionary defines public lands as unappropriated land belonging to the federal or a state government; the

general public domain. The history of railroad grants is instructive because if a railroad did not meet the conditions of the grant, the land reverted back to public domain. That is what has been done to prior appropriative vested property protected under the Federal constitution. The 14<sup>th</sup> Amendment to the Federal constitution and the United States Supreme Court in *Miranda v. Arizona* state that where rights secured under the Federal constitution are concerned there may be no legislating or rule making by a state that would abrogate them. The United States Supreme Court in *Marbury v. Madison* held that an act of a court or of a legislature that is repugnant to the Constitution is null and void. Further concern about the legislatively created exempt water right comes from American Jurisprudence definition: "exemption is not a vested right, but one the validity of which is to be determined, in most instances, by the conditions which exist at the time when the privilege is claimed. It is a right moreover which is purely personal to the one in whose favor it exists and he may waive it or be estopped to assert it.

The legislature also created another class of "water user." Rights before 1973 are statements of claim- but not vested? A vested right is protected property. What authority would a later created agency such as DNRC and the permitting law of the Water Users Act have over vested property that had been created and vested prior? Would exercise of the authority to administer, control and regulate those vested water rights by the state DNRC opened the door to regulatory takings claims against the state? If no one objects and agrees to statement of claim is that a voluntary relinquishment of vested water rights and now there is no claim of a regulatory takings? Why have the other prior appropriation doctrine states followed the legal principle in recognizing, making provision for recording and adjudicating vested water rights and Montana, the last state to pass permitting law, did not?

The legislature also created the provisional permit for impoundments created after 1973. If the adjudication is ever completed, the DNRC will have authority to alter or revoke the provisional permit. These Act of 1866 vested and accrued water rights carried with them the right to impound water into the future as well as accompanying easements. The provision that gives the state permission to alter or revoke that is a destruction of elements of the prior appropriative right. That is a denial of due process. If we agree to provisional permits, then have we have voluntarily alienated ourselves from the Act of 1866 vested water right? Would that then preclude a regulatory takings claim against the state if the provisional permit is altered or revoked?

We have included copies of correspondence such as a legislative policy analyst informing me that the BLM has reserved water rights, when in fact, they do not. The United States Supreme Court in 1978 *U.S. v. New Mexico* held that under the prior appropriation doctrine that stockwater on federal land belongs to the stockowner and that federal agencies cannot own a stockwater right. We also have letters from the DNRC telling us we can't have water rights because the BLM owns the land and the water. Or they aren't accepting our filings because the BLM already filed and they will not accept duplicate filings. Or this pothole does not fit our definition of an exempt right and in answer to the question, yes the BLM does have a stockwater right on that pothole. Or you can't file because this is state land and the water right belongs to the state. We had included all of these in our statement to the EQC and also when we appeared for HB 711 TO RECOGNIZE VESTED WATER RIGHTS ON FEDERAL LAND. Mr. Hall, former chief DNRC counsel had faxed a 30 page fix to our request to recognize vested water

rights, but this referred to them as 'existing'. I had several calls from Mr. Hall the week before the hearing, trying to persuade me to agree to 'existing'. His words were: 'let's just call them existing because that's what they are. You don't want vested. Vested doesn't mean what you think it means and doesn't do what you think it does.'

If you look at a township index from the General Land Office Records, you will see that sections 16 and 36 say title vests in the state; subject to prior rights. The following is from a book published by the General Land office in 1912 1) 'public lands' or "public domain" are synonymous terms used to describe land subject to sale or other disposal under general law 2) legal title to school lands pass if the land has been surveyed, at time of admission of the state ; if not surveyed at time of admission of the state, then not until they are surveyed, for until surveyed the sections and townships have no existence as such 3) In school land grants, does legal title to all lands within the lines of the school sections invariably pass to the state? No; only title to lands which at date of survey are unappropriated and non-mineral.

I have provided all of this information and copies of some state grant patents that show survey was 1918 or 1922 and patent issued 1943 or 1967. Every patent says "subject to vested and accrued water rights." On February 4, the Director wrote that she was returning all of the documents. We cannot accept any of them. She also said the DNRC has no authority to review or make any determinations as to the validity or extent of those water rights. Please do not submit any of these documents to our office in the future because we are without authority to retain them in our files." This DNRC had also said they had known for a long time that this law leaves a certain group of people without a court to go to. It seems reasonable to ask if a public official takes an oath to uphold the Constitution as part of taking office, then would the public official not be aware that the Federal and State Constitutions guarantee due process, equal protection and a speedy remedy?. They have known for a long time that this law leaves a certain group of people without a court to go to and when were they intending to seek a remedy to an illegal law? Why not by now? Why do nothing to correct the multitude of flaws in this law all while the adjudication moves forward and the federal reserved water rights compacts move forward? What will it take to correct those parts that effect denial of due process and equal protection and will the correction take place as the adjudication and reserved water compacts continue on? In the alternative, how do we find out how many claims could be brought against the state for retroactively destroying vested water rights by the Water Use Act? How do we find the cost to the state in litigation and the cost for paying for Constitutional rights violations? Where will that money come from?

I have included my email address [kormanmax@hotmail.com](mailto:kormanmax@hotmail.com) and phone number 406-648-5536 and we are always willing to discuss these issues with anyone who is interested. Thank you for your time and attention.



Maxine Korman

# DEED RECORD No. 58

PATENT TO STATE of Montana 32 1134

THE PRINTING & SUPPLY CO.

Document No. 315245 (cont'd)

WHEREAS, There have been deposited in the General Land Office of the United States an application by the State of Montana and an Order of the Secretary of the Interior directing that a patent issue to the State of Montana under the provisions of the Act of Congress approved June 21, 1934 (48 Stat. 1185), entitled "An Act Authorizing the Secretary of the Interior to issue patents to the numbered school sections in place, granted to the States by the Act approved February 22, 1889, by the Act approved January 25, 1927 (44 Stat. 1026), and by any other Act of Congress," for the following numbered school section lands in place, granted for the support of common schools and the title to which vested in the State of Montana under the Act of February 22, 1889 (25 Stat. 676), upon the acceptance of the Plats of Survey by the General Land Office as stated herein

### Principal Meridian, Montana

- six. Township thirty-three north of Range thirty-three east. The Sections sixteen and thirty-six.
- six. Township thirty-four north of Range thirty-three east. The Sections sixteen and thirty-six.
- six. Township thirty-five north of Range thirty-three east. The Sections sixteen and thirty-six.
- six. Township thirty-six north of Range thirty-three east. The Section sixteen and thirty-six.

### Great Falls 084665-B

- six. Township thirty-five north of Range thirty-four east. The Sections sixteen and thirty-six.
- six. Township thirty-six north of Range thirty-four east. The Sections sixteen and thirty-six.

Plats accepted November 19, 1913.

- six. Township thirty-seven north of Range twenty-six east. The Sections sixteen and thirty-six.
- six. Township thirty-seven north of Range twenty-seven east. The Sections sixteen and thirty-six.
- six. Township thirty-four north of Range forty east. The south half of the northeast quarter, the south half of the southwest quarter and the southeast quarter of Section sixteen and the northeast quarter, the east half of the northwest quarter, the southwest quarter of the southwest quarter and the northeast quarter of the southeast quarter of Section thirty-six.
- six. Township thirty-five north of Range forty east. The Sections sixteen and thirty-six.
- six. Township thirty-six north of Range forty east. The north half of the northeast quarter, the southeast quarter of the northeast quarter, the west half of the west half, the northeast quarter of the northwest quarter and the southeast quarter of the southwest quarter of Section sixteen and the Section thirty-six.
- six. Township thirty-four north of Range forty-one east. The Section thirty-six.
- six. Township thirty-five north of Range forty-one east.

### Great Falls 084665-B

- six. The north half and the northwest quarter of the southwest quarter of Section sixteen and the Section thirty-six.
- six. Township thirty-six north of Range forty-one east. The Section sixteen and the west half of the northwest quarter and the north half of the south half of Section thirty-six.
- six. Township thirty-four north of Range forty-two east. The Sections sixteen and thirty-six.

Plats accepted December 12, 1913.

- six. Township thirty north of Range thirty-three east. The Sections sixteen and thirty-six.
- six. Township thirty north of Range thirty-four east. The Lots one, two, three and four, the west half of the east half and the west half of Section sixteen.
- six. Township thirty north of Range thirty-five east. The Lots one, two, three and four and the south half of the north half of Section sixteen.
- six. Township twenty-nine north of Range thirty-six east. The Sections sixteen and thirty-six.
- six. Township twenty-nine north of Range thirty-seven east. The Section sixteen and the Lots one, two, three, four, five, six, seven, eight, nine, ten, eleven and twelve and the west half of Section thirty-six.
- six. Township thirty-two north of Range thirty-seven east. The Sections sixteen and thirty-six.
- six. Township thirty-two north of Range thirty-eight east. The Sections sixteen and thirty-six.

### Great Falls 084665-B

- six. Township thirty-one north of Range thirty-nine east. The Section sixteen and the Lots one, two, three and four, the north half of the south half and the north half of Section thirty-six.
- six. Township thirty-two north of Range thirty-nine east. The Sections sixteen and thirty-six.
- six. Township thirty-one north of Range forty east. The Section sixteen and the Lots one, two, three and four, the north half of the south half and the north half of Section thirty-six.
- six. Township thirty-two north of Range forty east. The Section sixteen.

Plats accepted January 30, 1914.

- six. Township thirty-seven north of Range forty east. The Section sixteen.

# VALLEY COUNTY, MONTANA

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8588 127

Document No. 315245 (cont'd)

six. Township twenty-six north of Range twenty-nine east. The Sections sixteen and thirty-six.  
Township twenty-six north of Range thirty east. The Sections sixteen and thirty-six.

Great Falls 084665-B

Plats accepted June 28, 1919.

Township twenty-two north of Range thirty-three east. The Section sixteen.  
Township twenty-two north of Range thirty-five east. The Lots one, two, three and four and the north half of Section sixteen.

Plats accepted September 28, 1919.

Township twenty-four north of Range twenty-six and one-half east. The Lots one, two, three and four and the east half of Section thirty-six.  
Township twenty-four north of Range twenty-seven east. The Sections sixteen and thirty-six.

Township twenty-two north of Range thirty east. The Sections sixteen and thirty-six.  
Township twenty-four north of Range thirty east. The north half of the southwest quarter and the northwest quarter of the southeast quarter of Section sixteen and the Section thirty-six.

Township twenty-two north of Range thirty-one east. The Section sixteen and the Lots one, two, three and four of Section thirty-six.

Plats accepted March 3, 1920.

Township twenty-eight north of Range thirty-six east. The east half of Section sixteen and the Section thirty-six.

Plat accepted December 17, 1920.

Township twenty-two north of Range twenty-five east. The Sections sixteen and thirty-six.

Plat accepted February 2, 1921.

Great Falls 084665-B

six. Township twenty-five north of Range thirty-four east. The Sections sixteen and thirty-six.

six. Township twenty-six north of Range thirty-four east. The Sections sixteen and thirty-six.

six. Township twenty-eight north of Range thirty-four east. The Sections sixteen and thirty-six.

six. Township twenty-eight north of Range thirty-five east. The Sections sixteen and thirty-six.

~~Plats accepted March 15, 1922.~~

Township twenty-three north of Range twenty-five east. The Section sixteen and the south half of Section thirty-six.

six. Township twenty-three north of Range thirty east. The Sections sixteen and thirty-six.

Plats accepted October 21, 1922.

Township twenty-five north of Range thirty-seven east. The Sections sixteen and thirty-six.

Plats accepted February 12, 1923.

Township twenty-four north of Range thirty-nine east. The Section sixteen and the Lots one, two, three, four and five, the north half, the north half of the southwest quarter and the northwest quarter of the southeast quarter of Section thirty-six.

Plat accepted March 22, 1923.

six. Township twenty-three north of Range twenty-six east. The Sections sixteen and thirty-six.

Plat accepted May 7, 1923.

Township twenty-two north of Range twenty-six east. The Sections sixteen and the Lots one, two, three and four, the north half of the south half and the north half of Section thirty-six.

852 8198

BIODER-TRIERNE PRINTING & SUPPLY CO.

Document No. 315245 (cont'd)

- six. Township twenty-six north of Range thirty-six east. The Sections sixteen and thirty-six.
- six. Township twenty-seven north of Range thirty-six east. The Sections sixteen and thirty-six.
- six. Township twenty-six north of Range thirty-six and one-half east. The Lots one, two, three, four, five, six, seven and eight of Section thirty-six.
- six. Township twenty-seven north of Range thirty-six and one-half east. The Lots one, two, three, four, five, six, seven and eight of Section thirty-six.
- six. Township twenty-six north of Range thirty-seven east. The Sections sixteen and thirty-six.

Great Falls 084665-B

4--1044

Township twenty-seven north of Range thirty-seven east. The Sections sixteen and thirty-six.

Plats accepted February 20, 1924, containing the aggregate one hundred forty-five thousand six hundred forty-four acres and fifty-six hundredths of an acre, according to the Official Plats of the Surveys of the said Lands on file in the General Land Office:

NOW, THEREFORE, KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the said Act of Congress of June 21, 1934, and as evidence of the title which was granted to and vested in the State of Montana to the above-described lands on the dates aforesaid for the support of common schools, as aforesaid, and in confirmation of such title for such purpose, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said State of Montana, and to its assigns, the lands above-described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature thereunto belonging, unto the said State of Montana and to its assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Franklin D. Roosevelt, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed. GIVEN under my hand, at the City of Washington, the twenty-second day of September in the year of our Lord one thousand nine hundred and forty-three and of the Independence of the United States the one hundred and sixty-eighth.

(OFFICIAL SEAL)

By the President: Franklin D. Roosevelt  
By Ruth W. Talley, Secretary.

R. S. Clinton  
Chief, Patents Division General Land Office.

Recorded: Patent Number 1117278

Filed for record this 16th day of Nov-  
1943, at 9 o'clock, A. M. SRR.

H. R. Bjorklund, Clerk and Recorder  
By Mildred W. Kruzich, Deputy

Document No. 315246

Great Falls 084665-D

4--1043

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

WHEREAS, There have been deposited in the General Land Office of the United States an application by the State of Montana and an Order of the Secretary of the Interior directing that a patent issue to the State of Montana under the provisions of the Act of Congress approved June 21, 1934 (48 Stat. 1185), entitled "An Act Authorizing the Secretary of the Interior to issue patents to the numbered school sections in place granted to the States by the Act approved February 22, 1889, by the Act approved January 25, 1927 (44 Stat. 1026), and by any other Act of Congress," for the following numbered school section lands in place, granted for the support of common schools and the title to which vested in the State of Montana under the Act of February 22, 1889 (25 Stat. 676) upon the restoration thereof from the reclamation withdrawal as herein stated:

Principal Meridian, Montana.

Township twenty-six north of Range forty-one east. The west half of the southwest quarter and the southeast quarter of the southwest quarter of Section Sixteen.

STATE OF MONTANA VALLEY COUNTY  
RECORDED: 03/06/2008 10:00 KOI: AFFIDAVIT  
LYNNE NYQUIST CLERK AND RECORDER  
FEE: \$706.00 BY *Roni Clamatt Deputy*  
NO: KORMAN RANCH BOX 162, HINSDALE, MT 59241

STATE OF MONTANA )  
 ) SS.  
COUNTY OF VALLEY )

**AFFIDAVIT**

I/We , Ronnie Korman and Maxine Korman are of legal age and are residents of Valley County, State of Montana and affirm that the following is true and correct.

That we did, by letter dated February 4, 2007 (Exhibit 1) and Affidavit of Act of 1866 Vested Water Rights (Exhibit 2) to Director Sexton of the Department of Natural Resources give notice of our recording of our vested water rights and request that they be recognized and protected as such in the upcoming water adjudication. That we did receive a letter from Kimberly Overcast, New Appropriations Program Manager (Exhibit 3) telling us the documents will not be included in the adjudication process conducted by the Water Court as the claims filing process for the adjudication ended on July 1, 1996. The Water Users Act of July 1, 1973 does not recognize vested water rights, does not define vested water rights and makes no provision to have ownership of vested water rights recorded and adjudicated. Many of the water user classifications destroy elements of the prior appropriation doctrine water right.

That we did attempt numerous times to find a method, using Department of Natural Resources agency forms to record our ownership of vested water rights. Letter from Glasgow DNRC, dated January 28, 2008 (Exhibit 4) : "documentation and

~~Continuation of Water~~ Right Applications are being returned. There is nothing to correct on ~~these.~~ Also included Memo from Chief Legal Counsel to Director. We had tried again to record our ownership of vested water rights under the prior appropriation doctrine and had informed the Director that the land patents indicated the surveys, acceptance of plat maps and issuance of patent on these sections sixteen and thirty-six occurred after water had been put to beneficial use for stockgrazing and stockwatering. The letter of January 28, 2008 from Glasgow DNRC (Exhibit 5) stated the applications had been terminated because the place of use is located on state land, the water right must be in the name of the state. This ignores the ruling in Water Court case 41-g, the prior appropriation doctrine that is prior appropriation rights are vested property protected under the federal Constitution and is an application of the riparian doctrine. The Montana Supreme Court has ruled in Mettler vs. Ames Realty that the common law riparian doctrine has never applied here.

That we did again serve the Director notice of our objection to their actions with a letter that signed receipt indicates was received on February 19, 2008 (Exhibit 6) That we did complete and attempt to file for our real property vested water rights on sections 16 and 36 (Exhibits 7, 8, 9) MCA 1-4-104 "When an instrument is equally susceptible of 2 interpretations, the one in favor of natural right is to be adopted." MCA 1-4-105 "When an instrument consists partly of written words and partly of a printed form and the 2 are inconsistent, the former control the latter." That we did attempt to correct the remark that there is a problem because the water right is on public land. The United States

~~Supreme Court has held~~ that once a private right or claim attaches the land ceases to be  
~~public land~~ (Bardon v. Northern Pacific Railway) That we did attempt to record our  
~~ownership~~ of our real property vested water rights that arise on federal land in  
conformance with the Act of 1866, R.S. 2339, 2340 (Exhibits 10-29) That we did attempt  
to correct our record of ownership of vested water rights for those real property rights  
created before the passage of the Water Users Act (Exhibits 30 - 40)

I/We hereby swear that the information contained in this Affidavit is true.

Ron Korman 3-3-08  
(Owner) (Date)

Maxine Korman March 3, 2008  
(Owner) (Date)

State of Montana  
County of Phillips

Subscribed to and sworn to (or affirmed) before me this 3 day of March 2004,

by (print signer=s name) Ron Korman - Maxine Korman

Iris Robinson  
Print Name: Iris Robinson  
Notary Public for the State of Montana  
Residing in Phillips County  
My Commission Expires 12-31-2008

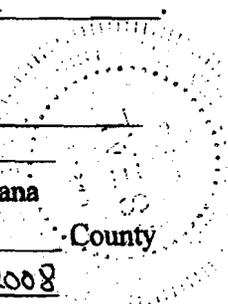


Exhibit 1

Feb. 4, 2007  
Ronnie & Maxine Korman  
P O Box 162  
Hinsdale, Mt. 59241  
Ph. 406-648-5536

Director Mary Sexton,  
Department of Natural Resources and Conservation  
1625 Eleventh Ave.  
Helena, Mt. 59620

Director Sexton,

Please note the following documents that we would like to call to your attention: a copy of our letter to the Glasgow office of Department of Natural Resources and Conservation, our recorded Affidavit of Act of 1866 Vested Water Rights, our official allotment map certified by the Bureau of Land Management, as well as the deed. We are submitting these documents for the record of our proof of ownership under the provisions of Article II, Section 3 and Section 17 and Article IX, Section 3 of the Montana Constitution.

*Ronnie Korman* Ronnie Korman

*Maxine Korman* Maxine Korman

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

HELENA MT 59620 OFFICIAL USE

Postage	\$ 1.11	0230
Certified Fee	\$2.40	97
Return Receipt Fee (Endorsement Required)	\$1.85	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.36</b>	<b>02/05/2007</b>

Sent To DIRECTOR SEXTON  
Street, Apt. No., or PO Box No.  
City, State, ZIP+4<sup>®</sup> DNRC HELENA

PS Form 3800, June 2002 See Reverse for Instructions

1252 6476 4000 0010 9002

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
DIRECTOR MARY SEXTON  
DEPT. NATURAL RESOURCES  
& CONSERVATION  
1625 ELEVENTH AVE.  
HELENA MT. 59620

2. Article Number (Transfer from service label) 7006 0100 0004 9749 7521  
PS Form 3811, February 2004 Domestic Return Receipt 10296-02-M-150 1

3. Service Type  
 Certified Mail  
 Registered  
 Insured Mail  
 Express Mail  
 Return Receipt for Merchandise  
 C.O.D.  
 Restricted Delivery? (Extra Fee)  Yes

4. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

5. Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 Print your name and address on the reverse so that we can return the card to you.  
 Attach this card to the back of the mailpiece, or on the front if space permits.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 State Mail Services  Address

B. Received by (Print Name) Dennis McPherson  
 C. Date of Delivery FEB 06 2007

STATE OF MONTANA VALLEY COUNTY  
RECORDED: 02/01/2007 2:23 KOI: AFFIDAVIT  
LYRNE NYQUIST CLERK AND RECORDER  
FEE: \$125.00 BY: Rene Clamper Deputy  
TO: RONNIE & MAXINE KORMAN BOX 162, HIRSDALE, MT 59241

STATE OF MONTANA )  
 ) ss.  
COUNTY OF VALLEY )

CASE NO.

*Exhibit 2*

**AFFIDAVIT**

1. I/We RONNIE KORMAN and MAXINE KORMAN are the appropriators and owner(s) of vested and accrued water rights and associated rights-of-way recognized, sanctioned and confirmed by the Act of 1866 for the beneficial use of stockgrazing and stockwatering.

These water rights are located within the exterior boundaries of our legally recognized fee land and customary range and have been in continuous, exclusive use and possession.

2. The correct priority date for these water rights prior to July 1, 1973 are:

Dec.31,1893: T27N R34E S3 S2SW1/4SE1/4, DAM DEC. 31, 1969

S3 NWSWNE,SWNWNE, DAM FEB. 28,1950

S4 SW1/4NE1/4SW1/4, PIT APRIL 5, 1973

S4 NE1/4SE1/4,SW1/4NE1/4,SE1/4NW1/4,SW1/4NW1/4,NW1/4SW4

S8 NE4NW4,NW4NE4,NE4NE4,NW4NE4,NE4NW4,NWSESW PIT

APRIL 5, 1973

S9 SE4NE4NW4 DAM SEPT. 28, 1960

S9 NW4NW4SE4 DAM FEB. 17, 1994

S9 NW4SE4SW4, NWNW, SE4NW, NW4SE4, SE4SE4 PIT

FEB. 17, 1994

S10 SW4SE4NW4, SE4NENW4, NW4NW4NE4, SE4SW4

S14 NW4SW4SE4 DAM NOV. 13,1959

S14 NW4NE4NW4, PIT APRIL 5, 1973

S14 SE4SE4NE4 DAM FEB. 17, 1994

S14 NESW,NW4SW4, NE4SW4, SW4NW4

S15 NWSW, SW4SW4,NW4NW4, SW4NW4, NE4NW4

S 15 SE4NW4, SE4NW4, NW4SE4, SE4SW4, NE4SW4

S15 NW4SW4NW4 DAM SEPT. 16, 1966

S16 SE4SW4SE4, SESE PIT FEB. 17, 1994

S16 NWNW, NE4NW4, NW4NE4, NE4NE4, NW4SE4SW4 DAM

DEC. 31, 1947

S17 NE4NE4, NW4NE4, SW4SW4, SWNESE DAM APRIL 5, 1973

S18 NE4SW4, SW4NW4,SE4SE4, NW4SE4, SW4SE4, NW4SE4SW4,

SW4SE4NW4, DAM N2NESW, SWSENW NOV. 03, 1959

S19 NE4SE4NE4, NE4SE4NE4, SW4SW4SE4, SE4SW4SW4, N2SE4NE4

DAM N2SENE, S2NENE OCT. 15, 1946

S20 SW4SW4SE4

S21 SW4NE4SW4, SE4SE4, NESE, SENE, NENE, SW4, SE4, NW4,

SE4SE4SE4SW4, SWNESW PIT MAY 2, 1980, SESESW PIT FEB. 17, 1994

S24 SW4NW4SE4, W2NWSE DAM DEC. 8, 1959

S28 SW4SW4SW4, NW4SE4, SE4SE4

S29 NE4SE4NW4, SE4NW4SE4, SW4NE4SE4, SWNESE, DAM FEB.

28,1951, SENWSE DAM FEB. 28,1951, NESESE PIT MAY 2, 1980

S30 NE4SE4SE4

T28N R34E S19 SE4NW4NE4, SE4SE4NW4, SE4NE4NE4, SENENE PIT/DAM FEB. 23, 1998,  
SEWNE PIT FEB. 23, 1998

S29 SE4SW4, NW4SE4, SW4NW4, NE4SW4, SW4NE4SE4, E2NENE  
DAM MARCH 21, 1973, SWNWSE PIT APRIL 5, 1973

S32 NW4SE4, NW4NW4SE4, NWNWSE DAM MARCH 23, 1939,  
SESWSE PIT FEB.11,1994

S33 NE4NE4SW4, NW4NW4SE4, SW4SW4SW4,SW4NW4NW4,  
SE4NE4NE4, SENENE DAM AUGUST 1,1954, NWNWSE, NENESW DAM OCT. 25, 1959,  
SEWNNW PIT FEB. 11, 1994

S34 NW4SE4NW4

Based on: Historical and legal record and personal knowledge

3. The correct period of use for these water rights prior to 7/1/1973 are:  
(Please attach supporting documents such as a deed or copy of a decree.)  
Year-round when available supply and weather allow

4. I/We hereby swear that the information contained in this Affidavit is true.

Ronnie Garman  
(Owner)

1-25-07  
(Date)

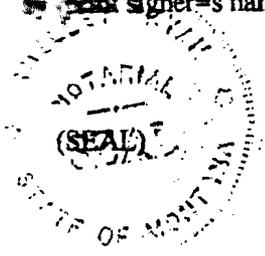
M. J. Horn  
(Owner)

Jan 25, 2007  
(Date)

State of Montana  
County of Valley

Subscribed to and sworn to (or affirmed) before me this 25<sup>th</sup> day of January 2007

signer=s name) Ronnie Korman and Maxine Korman



Shelley Bryan

Print Name: Shelley Bryan

Notary Public for the State of Montana

Residing in Glasgow, Valley County

My Commission Expires 7/19/09

TABULATION RECORD  
 BAD LANDS UNIT  
 GRANT COULEE ALLOT.

Sheet No. 1 of 2

Date 7-3-75

Compiled by Jerry Pierce

T	S	Federal		District Controlled		Private Owned		Other	
		Acres	AUMs	Acres	AUMs	Acres	AUMs	Acres	AUMs
28	3-28			150	30				
	29	130	27	115	25				
	32	320	76	120	26				
	33			640	147				
	34			100	25				
27	34	1		675	70				
	4			144	32				
	5	80	21*	40	9				
	6	395	109*	84	20*				
	7	40	10*	585	139*				
	8	40	10*	280	68				
	9			480	122				
	10			240	39				
	11			440	57				
	12			640	67				
	13			640	69				
	14			640	83				
	15			640	79				
	16	240	61				400	95	
	17	80	21	440	103				
	18			626	150				
	19			313	78				

DEPARTMENT OF LAND MANAGEMENT

Bureau of Land Management  
 Montana State Office, Billings MT

I hereby certify that this reproduction is a  
 copy of the master on file in this office.

*[Signature]*  
 Authorized Signatory

Date: DEC. 13, 2006

TABULATION RECORD

BAD LANDS UNIT

Date 7-3-75

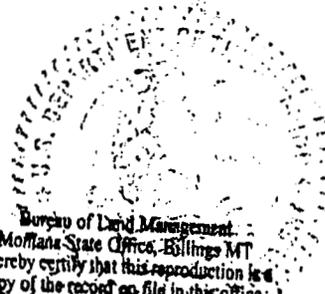
GRANT COULEE ALLOT. Compiled by Jerry Pierce

T	S	Federal				District Controlled		Private Owned		Other	
		Acres	AUMs	Acres	AUMs	Acres	AUMs	Acres	AUMs	Acres	AUMs
20	3-20	80	21	240	59						
	21	240	61	80	9						
	22			480	67						
	23			640	84						
	24			640	80						
28	35 31			40	5						
27	35 5			150	14						
	6			573	62						
	7			623	64						
	8			520	55						
	9			160	17						
	16					275	32				
	17			640	68						
	18			624	65						
	19			604	65						
	20			190	19						
		1,645	417	14,236	2,171	275	32	400	95		
	Less 2.7% Big Game		-0		-59		-0		-0		
			417		2,112		32		95		-2,656
<p>* These AUMs are in the Salsbery allotment. Hammond uses Salsberys deeded land through an Exchange of Use agreement between BLM and Salsberys.</p>											



DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Montana State Office, Billings MT  
I hereby certify that this reproduction is a  
copy of the record on file in this office.  
G. M. [Signature]  
Authorized Signature  
Date: Dec. 13, 2006





Bureau of Land Management  
Montana State Office, Billings MT  
I hereby certify that this reproduction is a  
copy of the record on file in this office.  
Alan Bakken  
Authorized Signature  
Date: Dec. 13, 2006

Sheet No. 1 of 2

TABULATION RECORD

Date 3/1/66

~~Patron~~  
~~E. McQuin & Sons~~  
~~Malta~~

Compiled by B. Conrad

Survey Date NRB

Corral Coulee Common Allotment

T	R	S	Federal				District Controlled		Private Owned		Other	
			PD		LU		Acres	AUMs	Acres	AUMs	Acres	AUMs
			Acres	AUMs	Acres	AUMs						
26	34	1	641	40								
		2	641	44								
		3	640	45								
		4	480	38								
		9	400	32								
		10	640	49								
		11	585	43								
		12	315	24								
		14	55	4								
		15	35	2								
25	35	6	172	13								
27	34	19	314	53								
		20	320	67								
		21	320	44								
		22	160	20								
		25	640	63								
		26	640	63								
		27	640	58								
		28	640	89								
		29	240	50	400	89						
		30	277	50	240	53			111	28		
		31	120	34					37	10		



Bureau of Land Management  
Montana State Office, Billings, MT  
I hereby certify that this reproduction is a  
copy of the record on file in this office.

Alex Bakken  
Authorized Signature:

Date: Dec 13, 2006

Operator Korman Ranch TABULATION RECORD

Alme E. McGuin & Sons

Date 3/1/66

District M-1 Malta

Compiled by B. Conrad

Survey Date MRB

Corral Coulee Common Allotment

T	R	S	Federal				District Controlled		Private Owned		Other	
			PD		LU		Acres	AUMs	Acres	AUMs	Acres	AUMs
			Acres	AUMs	Acres	AUMs						
27	34	32	155	34	160	35						
		33	120	18	480	64						
		34	320	34	320	38						
		35	640	44								
		36					640	51				
27	35	31	130	8								
			10280	1063	1600	279	640	51	148	38		
Less 2.7% Big Game				-28		-0		-0		-0		
				1035		279		51		38		
											1403	



Bureau of Land Management  
Montana State Office, Billings MT  
I hereby certify that this reproduction is a  
copy of the record on file in this office.  
*[Signature]*  
Authorized Signature  
Date: DEC. 13, 2006



STATE OF CALIFORNIA, CS.  
County of Valley

I hereby certify that the instrument  
to which this certificate is annexed is  
a true, complete and correct copy of  
the original on file in my office.

Witness My Hand and seal of office  
this 14th day of July 2007

*Lynne Nyquist*  
LYNNE NYQUIST, Clerk  
*Blenda M. Southern, Deputy*



(Please attach supporting documents such as a deed or copy of a decree.)  
Year-round when available supply and weather allow

4. I/We hereby swear that the information contained in this Affidavit is true.

Ronnie Korman 5-17-07  
(Owner) (Date)

Maxine Korman May 17, 2007  
(Owner) (Date)

State of Montana  
County of Valley

Subscribed to and sworn to (or affirmed) before me this 17<sup>th</sup> day of May 2007  
~~2004~~

by (print signer=s name) Ronnie Korman and Maxine Korman



Melissa G. Greenhagen

Print Name: Melissa G. Greenhagen  
Notary Public for the State of Montana  
Residing in Glasgow, Valley County  
My Commission Expires 4-10-2010

STATE OF MONTANA        )  
                                  )  
COUNTY OF VALLEY

**AFFIDAVIT**

1. I/We **RONNIE KORMAN** and **MAXINE KORMAN** are the appropriators and owners of vested water rights and associated rights-of-way. These water rights were appropriated and put to continuous, exclusive beneficial use and possession prior to the Montana Water Use Act of July 1, 1973.

2. The correct priority date for these water rights prior to July 1, 1973 are:

December 31, 1934 Dam T 27N R 34E S 2, NWNENE ; stock

March 29, 1971 Well T 27N R 34E S 2; SWNWNE ; stock

December 31, 1957 Dam T 27N R 34E S 2; NWSSENW ; stock

December 31, 1950 Well T 27N R 34E S 2; NWSSENW ; stock

December 31, 1936 Dam T 27N R 34E S 2; SWNWNW ; stock

March 29, 1971 Well T 27N R 34 E S 2; NWSSENW ; domestic

December 31, 1915 Well T 27N R 34E S 2; NWSWNW ; domestic

December 31, 1936 Dam T 27N R 34E S 2; SWNWNW ; irrigation, stock

April 30, 1932 Dam T 27N R 34E S 2; SESWNE, E2SWNE, SWNWNE,  
NWNENE, NWNENE, N2NENE, NWSESE S 35 ; irrigation , stock

May 9, 1952 Dam T 27N R 34E S 3 NWSWNE ; irrigation , stock

December 31, 1948 Dam T 27N R 34E S 3 SWNESE ; stock

December 31, 1963 Dam T 27N R 34E S 4 NENESE ; stock

December 31, 1915 Larb Creek direct from source for stock T 27N R 34E S  
2 E2, T 28N R 34E S 35 SE ; stock

December 31, 1934 Dam T 28N R 34E S 29 SWSESW ; stock

December 31, 1953 Well T 28N R 34E S 31 NENWSW ; stock

December 31, 1932 Dam T 28N R 34E S31 NWNESW ; stock

December 31, 1934 Dam T 28N R 34E S 31 NENENE ; stock

Based on: Historical and legal record and personal knowledge

3. The correct period of use for these water rights prior to 7/1/1973 are:  
(Please attach supporting documents such as a deed or copy of a decree.)  
Year-round when available supply and weather allow

4. I/We hereby swear that the information contained in this Affidavit is true.

Ronnie Korman  
(Owner)

5-17-07  
(Date)

Maxine Korman  
(Owner)

May 17, 2007  
(Date)

State of Montana  
County of Valley

Subscribed to and sworn to (or affirmed) before me this 17<sup>th</sup> day of May <sup>2007</sup>~~2004~~,

by (print signer=s name) Ronnie Korman + Maxine Korman



Melissa G. Greenhagen

Print Name: Melissa G. Greenhagen  
Notary Public for the State of Montana  
Residing in Glasgow, Valley County  
My Commission Expires 4-10-2010

STATE OF MONTANA,

and for record this 19th day of March 1919 at 10 o'clock A.M. and recorded in Book of Deeds on Page of the Records of County of State of Montana Clerk and Recorder By

NOTARY DEED - MOUNTAIN FORM - 1902

This Indenture, Made the 19 day of March A. D. one thousand nine hundred and Seventy-four BETWEEN Myron F. Hammond and Inez Hammond, his wife, and Dan I. Hammond, a single man, of Saco, Montana parties of the FIRST PART and Earl Korman, Terry J. Korman, Ronnie Korman, and Ralph Korman of

of Saco, Montana the parties of the SECOND PART;

WITNESSETH, that the said parties of the FIRST PART, for and in consideration of the sum of One dollar and other valuable consideration Dollars (\$1.00 & c.) lawful money of the United States of America to them in hand paid by said parties of the SECOND PART, the receipt whereof is hereby acknowledged; do by these presents grant, bargain, sell, convey, warrant and confirm unto the said parties of the SECOND PART, and to their heirs and assigns forever, the hereinafter described real estate situated in the city or town of

Montana, to-wit: Township 27 North, Range 34 East, M.M., Township 28 North, Rge. 34 East, MM Section 4, SW1/4 Section 30, Lot 4. Together with Section 3, SW1/4, Lots 1, 2, 3 Section 31, Lots 1, 2, 3, 4, SW1/4, lands described Section 9, NE1/4 E1/4 on reverse side: Section 10, NW1/4 Section 34, SW1/4, E1/4 SW1/4, SW1/4, SW1/4, SW1/4 Section 5, Lot 4, SW1/4 SW1/4, SE1/4 SW1/4 Section 6, Lots 1, 2, SW1/4 Section 35, SW1/4, NW1/4 SW1/4

Together with the buildings and improvements thereon, all water rights, easements, and State Leases and grazing rights, and pump jacks and water tanks located on, appurtenant to or connected with the above described premises.

TOGETHER with all and singular the hereinbefore described premises together with all tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, right of dower and right of homestead, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the FIRST PART, of, in or to the said premises, and every part and parcel thereof, with the appurtenances thereto belonging, TO HAVE AND TO HOLD, all and singular the above mentioned and described premises unto the said parties of the SECOND PART, and to their heirs and assigns forever.

And the said parties of the FIRST PART, and their heirs, do hereby covenant that they will forever WARRANT and DEFEND all right, title and interest in and to the said premises and the quiet and peaceable possession thereof, unto the said parties of the SECOND PART their heirs and assigns, against all acts and deeds of the said parties of the FIRST PART, and all and every person and persons whomsoever lawfully claiming or to claim the same.

Title conveyed is subject to reservations, exceptions, rights-of-way and easements of record or existing on the premises.

IN WITNESS WHEREOF, the said parties of the FIRST PART have hereunto set hand and seal the day and year first hereinbefore written.

Signed, Sealed and Delivered in the presence of Myron F. Hammond (SEAL) Inez Hammond (SEAL) Dan I. Hammond (SEAL)

STATE OF MONTANA, County of VALLEY

On this 19 day of March in the year nineteen hundred and Seventy-four before me the undersigned a Notary Public for the State of Montana, personally appeared Myron F. Hammond and Inez Hammond, his wife, of Saco, Montana, and Dan I. Hammond, a single man of Saco, Montana known to me personally.

(or proved to me on oath of ) to be the person whose name subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public for the State of Montana. My Commission expires 1/3 10 76



Continued: Valley County, Montana:

Township 27 North, Range 34 East, M.M.

Section 2, Lots 1, 2, 3, 4, S½NE¼, S½NW¼, NW¼SW¼  
Section 3, SE¼NE¼, NE¼SE¼

Township 28 North, Range 34 East, M.M.

Section 35, SE¼

Township 28 North, Range 34 East, M.M.

Section 29, S½SW¼  
Section 30, S½SE¼  
Section 32, W½W¼, NE¼NW¼  
Section 31, NE¼, N½SE¼, SE¼SE¼

*Van D. Hammond*  
*Van D. Hammond*

STATE OF MONTANA  
COUNTY OF VALLEY  
FILED for record this 8th day of APRIL, 1974 at 4:00 P.M. and duly recorded in  
BOOK 117 of DEEDS, Page 280-281.

*Mary Ann Calkins* Recorder; By *Mary Calkins* Deputy.

FEE: \$4.00 Pd. RET: VCAC

APR 11 1974  
VALLEY COUNTY, MONTANA  
RECORDED

*See #400*

1403

STATE OF MONTANA } SS.  
County of Valley

I hereby certify that the instrument  
to which this certificate is annexed is  
a true, complete and correct copy of  
the original on file in my office.

Witness My Hand and seal of office  
this 17 day of May, 2007

Lynne Nyquist  
LYNNE NYQUIST, Clerk & Recorder

By Rosi Clappitt

Bureau of Land Management  
Montana State Office, Billings MT  
I hereby certify that this reproduction is a  
copy of the record on file in this office.  
*[Signature]*  
Authorized Signature  
APR 24 2007

Form 7330-9  
(December 1968)  
(formerly 7220-11)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

ASSIGNMENT OF COOPERATIVE AGREEMENTS  
AND/OR RANGE IMPROVEMENT PERMITS

INSTRUCTIONS

Prepare four copies. Submit original  
to assignor and one copy each to  
the assignee, case or lease file,  
and District job file.

I HEREBY ASSIGN all my right, title, and interest to (name of assignee)

EARL KORMAN et al c/o Ronnie Korman

, in and to the following

Cooperative Agreements (Form 7330-7) approved by the Bureau of Land Management for job(s) listed below

JOB		
NUMBER	NAME	LOCATION*
MI-R-5829	Hammond R.R. Fence	Secs. 8, 9, 11, 12, 13, 16, 19, 21 & 24, T. 27N., R. 34E.
MI-R-6	Hammond-Salabery Exch. Use Fan.	Secs. 5, 6, 7, 8, & 18, T. 27N., R. 34E.
MI-993	South Box Elder Stockwater Res.	NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 33, Township 28 N., Range 34E.
MI-994	Bentonite Res.	SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, Township 27 N., Range 34E.
MI-995	Co. Line Res.	NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 18, Township 27 N., R. 34E.
Date 8/24/77		Signature of Assignor Hammond Bros. Hammond brothers by <i>[Signature]</i>

Permits to Construct and/or Maintain Range Improvements (Form 7330-6) issued by the Bureau of Land Management for job(s) listed below

JOB		
NUMBER	NAME	LOCATION*
MI-4-2287	Reservoir	SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9, Township 27 N., Range 34E.
MI-4-2288	Reservoir	SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 7, Township 27 N., Range 35 E.
MI-4-2289	Reservoir	SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 23, Township 27 N., Range 34E.
MI-4-2290	Reservoir	NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 15, Township 27 North, Range 34E.
MI-4-2291	Allotment Fence	Sec. 35, Township 27 North, Range 34E.
Date 8/24/77		Signature of Assignor Hammond Bros. Hammond brothers by <i>[Signature]</i>

I, Earl Korman et al c/o Ronnie Korman, assignee named in the above assignment of  Cooperative Agreements  Permits do hereby agree to be fully bound by all the terms and provisions of the said  Cooperative Agreements  Permits and the regulations under which they were issued to the same extent and in the same manner as the assignor herein.

*[Signature]*  
(Assignee's Signature)

Assignment approved 9-25-77 (Date)

8/24/77 (Date)

By *[Signature]* (Signature)

\* Give legal description

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Authorized Signature:  
APR 24 2007

INSTRUCTIONS

Prepare four copies. Submit original  
to assignor and one copy each to  
the assignee, case or lease file,  
and District job file.

ASSIGNMENT OF COOPERATIVE AGREEMENTS  
AND/OR RANGE IMPROVEMENT PERMITS

I HEREBY ASSIGN all my right, title, and interest to (name of assignee)

EARL KORMAN et al c/o Ronnie Korman

, in and to the following

Cooperative Agreements (Form 7330-7) approved by the Bureau of Land Management for job(s) listed below

JOB		
NUMBER	NAME	LOCATION*
582	Hammond-Fisher Bdry. Fence	Section 5 & 6, Township 27 N., Range 35 E. Section 31, Township 28N., Range 35 E.
1-C-516	Myron Reservoir	Section 5, Township 27 N., Range 35 E.
1-C-475	Gerspacher- Hammond Bdry. Fence	Sections 27, 28, 29 & 34, Township 28 N., Range 34 E.
MI-996	Antelope Res.	NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 24, Township 27 N., Range 34 E.
MI-813	Hammond Bdry. Fence	Sections 22, 23, & 24, Township 27 N., Range 34 E.
Date 8/24/77		Signature of Assignor Hammond Brothers by Dan Hammond

Permits to Construct and/or Maintain Range Improvements (Form 7330-6) issued by the Bureau of Land Management for job(s) listed below

JOB		
NUMBER	NAME	LOCATION*
MI-628	Etchart-Hammond Bdry. Fence	Sections 19 & 20, Township 27 N., Range 35 E.
MI-726	Boyson Ret. Reservoir	Section 33, Township 28 N., Range 34 E.
MI-577	Balsam Ret. Reservoir	Section 12, Township 27 N., Range 34 E.
Date 8/24/77		Signature of Assignor Hammond Brothers by Dan Hammond

I, Earl Korman c/o Ronnie Korman, assignee named  
in the above assignment of  Cooperative Agreements  Permits do hereby agree to be fully bound by all the  
terms and provisions of the said  Cooperative Agreements  Permits and the regulations under which they  
were issued to the same extent and in the same manner as the assignor herein.

Ronnie Korman  
(Assignee's Signature)

Assignment approved 9-28-77 (Date)

8/24/77  
(Date)

By [Signature]  
(Signature)

\* Give legal description

Bureau of Land Management  
 Montana State Office, Billings MT  
 I hereby certify that this reproduction is a  
 copy of the record on file in this office.  
*[Signature]*  
 Authorized Signature

Date: APR 24 2008

RANGE IMPROVEMENT INDEX

Index	Type	Project Name	Maintenance Responsibility	Location
MI-475	Fence	Gerspacher	Permittee	Sec. 28, 29, 34, T. 28 N., R. 34 E.
MI-516	Res.	Myron	BLM	Sec. 5, T. 27 N., R. 35 E.
MI-577	Res.	Balsam	BLM	Sec. 12, T. 27 N., R. 34 E.
MI-582	Fence	Hammond-Fisher	Permittee	Sec. 5,6, T. 27 N., R. 35 E. Sec. 31, T. 28 N., R. 35 E.
MI-611	Fence	Fisher-Hammond	Permittee	Sec. 5,8,9, T. 27 N., R. 35 E.
MI-627	Fence	Hammond-Etchart	Permittee	Sec. 16,17, T. 27 N., R. 35 E.
MI-628	Fence	Etchart-Hammond	Permittee	Sec. 19,20, T. 27 N., R. 35 E.
MI-726	Res.	Boyson	BLM	Sec. 33, T. 28 N., R. 34 E.
MI-773	Fence	Korman	Permittee	Sec. 19, 20,21,22, T27N, R34E
MI-813	Fence	Hammond	Permittee	Sec. 22, 23, 24 T. 27 N., R. 34 E.
MI-R-6	Fence	Exchange-of-Use	Permittee	Sec. 5,7,8, T. 27 N., R. 34 E.
MI-R-508	Res.	VR-104	BLM	Sec. 32, T. 28 N., R. 34 E.
MI-R-529	Res.	VR-157	BLM	Sec. 16, T. 27 N., R. 34 E.
MI-R-993	Res.	South Box Elder	BLM	Sec. 33, T. 28 N., R. 34 E.
MI-R-994	Res.	Bentonite	BLM	Sec. 14, T. 27 N., R. 34 E.
MI-R-995	Res.	County Line	BLM	Sec. 18, T. 27 N., R. 34 E.
MI-R-996	Res.	Antelope	BLM	Sec. 24, T. 27 N., R. 34 E.
MI-R-1605	Res.	Castor	BLM	Sec. 18, T. 27 N., R. 35 E.
MI-4-2287	Res.	Section 4	BLM	Sec. 9, T. 27 N., R. 34 E.
MI-4-2288	Res.	Section 4	BLM	Sec. 7, T. 27 N., R. 35 E.
MI-4-2289	Res.	Section 4	BLM	Sec. 23, T. 27 N., R. 34 E.
MI-4-2290	Res.	Section 4	BLM	Sec. 15, T. 27 N., R. 34 E.
MI-4-2291	Res.	Section 4	BLM	Sec. 35, T. 28 N., R. 34 E.
MI-R-5750	Res.	Oasis	BLM	Sec. 8, T. 27 N., R. 34 E.
MI-R-5751	Res.	Joe's	BLM	Sec. 17, T. 27 N., R. 34 E.



County of Valley

I hereby certify that the instrument to which this certificate is annexed is a true, complete and correct copy of the original on file in my office.

Witness My Hand and seal of office this 14th day of July 2007

*Lynne Nyquist*  
LYNNE NYQUIST  
*Deborah M. Southern Deputy*

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION



BLANKENHORN  
SPEITZER  
ZIMMER

DIRECTOR'S OFFICE (406) 444-2074  
TELEFAX NUMBER (406) 444-2684

STATE OF MONTANA

WATER RESOURCES DIVISION (406) 444-6601  
TELEFAX NUMBERS (406) 444-0533 / (406) 444-5918  
<http://www.dnrc.mt.gov>

1424 9TH AVENUE  
PO BOX 201601  
HELENA, MONTANA 59620-1601

March 15, 2007

Exhibit 3

RONNIE & MAXINE KORMAN  
PO BOX 162  
HINSDALE MT 59241

Dear Mr. & Mrs. Korman,

The Department received the documents you refer to in your March 2, 2007, letter on February 6, 2007. The Department is retaining your documents. However, they will not be included in the adjudication process conducted by the Water Court as the claims filing process for the adjudication ended on July 1, 1996.

An interim committee (the Water Policy Committee) may study how to handle water rights that were exempt from the adjudication claims filing requirements over the next couple of years. New or revised statutes may be proposed in the 2009 Legislature.

Sincerely,

Kimberly A. Overcast  
New Appropriations Program Manager  
Phone No. 406-444-6614  
Fax No. 406-444-0533  
Email - [kovercast@mt.gov](mailto:kovercast@mt.gov)

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
GLASGOW WATER RESOURCES REGIONAL OFFICE



BRIAN SCHWEITZER  
GOVERNOR

222 6TH STREET SOUTH  
BOX 1269

STATE OF MONTANA

(406) 228-2561  
FAX (406) 228-8706

January 28, 2008

GLASGOW, MONTANA 59230-1269

*Exhibit 4*

Ron Korman  
Maxine Korman  
PO Box 162  
Hinsdale MT 59241

RE: Correction of Water Right Applications

Dear Mr. & Mrs. Korman:

We received your documentation and Correction of Water Right Applications. The documentation and Correction of Water Right Applications are being returned.

There is nothing to correct on these water rights. Please read the enclosed memo from Chief Legal Counsel to the Director which addresses exempt rights and the term "vested".

If you have any questions, please contact our office at 406-228-2561.

Sincerely,

*Pam Weinmeister*

Pam Weinmeister  
Water Right Technician  
Glasgow Water Resources Regional Office

PW:pw

Enc. Documentation and Corrections of Water Right Forms received 1/25/2008  
Memo from Chief Legal Counsel to Director

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION



BRIAN SCHWEITZER, GOVERNOR

1625 ELEVENTH AVENUE

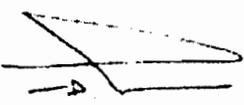
STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-2974  
FAX: (406) 444-2884PO BOX 201601  
HELENA, MONTANA 59620-1601

## MEMORANDUM

Exhibit 4

TO: Mary Sexton, Director

FROM: Tim Hall, Chief Legal Counsel 

DATE: August 16, 2007

RE: Water Rights Exempt from Filing in the Adjudication

As we have discussed previously, the Department is receiving a number of letters from water users asking that it recognize their "vested" water rights. The water rights in question are mainly stock use water rights that were not claimed during the claims filing period of the adjudication. The purpose of this memo is to set out some of the pertinent history of the adjudication to help answer some of the questions associated with the issue of establishing these "exempt" water rights, and use this memorandum as the Department's response when such letters and filings are received.

In the late 1970s the legislature decided to exempt certain water uses from the filing requirements of the adjudication ("exempt" water rights). As Montana prepared for its statewide general stream adjudication, in order to cut down on the numbers of claims that would have to be dealt with, the decision was made that not *all* valid water rights had to be claimed. Pursuant to Mont. Code Ann. § 85-2-212, and Montana Supreme Court Order No. 14833, a person asserting a claim to an existing right to the use of water arising prior to July 1, 1973, for stock or domestic uses based upon instream flow or ground water sources was not required to file a claim in order to avoid abandonment of the claim. Claims that were not mandated to be filed could be voluntarily filed, however. The following statute was passed in 1979:

85-2.222. Exemptions. Claims for existing rights for livestock and individual as opposed to municipal domestic uses based upon instream flow or ground water sources and claims for rights in the Powder River basin included in a declaration filed pursuant to the order of the department or a district court issued under Sections 8 and 9 of Chapter 452, Laws of 1973, or under sections 3 and 4 of Chapter 485, Laws of

12975, are exempt from the filing requirements of 85-2-221(1). Such claims may, however, be voluntarily filed.

Because of the above statute, and perhaps to save a \$40 filing fee, many water users did not file claims for existing rights for livestock and individual as opposed to municipal domestic uses based upon instream flow or ground water sources. It is important to understand that although these types of claims were exempt from the filing requirements, it did not mean that they were not valid water rights, or that they would be deemed abandoned if not filed. In re Adjudication of Existing Yellowstone River Water Rights, 253 Mont. 167, 832 P.2d 1210 (1992). It simply meant that these valid water rights did not have to be claimed in the course of the adjudication. What was not addressed in 1979, however, was any kind of process that described where and how such exempt rights could be established later on – which court had jurisdiction and what was the process for proving them? The claims filing period ended on April 30, 1982, but was later extended to July 1, 1996. Mont. Code Ann. § 85-2-221(3). For a history of the adjudication, see Donald Duncan MacIntyre, *The Adjudication of Montana's Waters – A Blueprint for Improving the Judicial Structure*, 49 Mont. L. Rev. 211, 215-265 (1988).

At this point any water user who did not file claims for exempt water rights faces the issue of how to judicially establish their water right. If a water user tries to file a claim with the district court, the district court will most likely say it does not have jurisdiction to adjudicate exempt water rights – only the Water Court can adjudicate water rights. *Mildenberger v. Galbraith*, 249 Mont. 161, 166, 815 P.2d 130, 134 (1991); *State ex rel. Jones v. District Court*, 283 Mont. 1, 7, 938 P.2d 1313, 1316 (1997); *Hidden Hollow Ranch v. Fields*, 2004 MT 153, ¶ 27, 321 Mont. 505, 513, 92 P.3d 1185, 1191. And if someone tries to file such exempt water rights with the Water Court, the Water Court will most likely say that the claims filing period concluded July 1, 1996, and that it does not have jurisdiction to accept, process and adjudicate those claims within this adjudication. Although valid, exempt rights not voluntarily filed are clearly not abandoned, there is also no clear forum right now in which they can be proved and adjudicated. Anyone trying to go to either the district court or the Water Court would likely face expensive litigation costs just to try to establish which court has jurisdiction. For that reason, as we have discussed, a legislative solution needs to be explored. As you recall, an attempt was made by our Department last session to amend a bill to put forward a solution, but time ran out and the bill was not able to be amended. Perhaps the Interim Water Policy Committee can review this issue.

Many water users faced with the situation of trying to establish their exempt water rights, rather than trying to establish them in a district court or the Water Court, now attempt to solve their dilemma by filing various kinds of documents with the Department. The Department has for some time allowed exempt water users to file what is called a Form 627. This is not a form that puts their water rights into the general adjudication conducted by the Water Court. Rather, it is only a form that allows water users to lodge a record of their claimed exempt rights with the Department, and to receive notice of various activities that may affect their water rights. Form 627 states on its face that:

A person who claims to have a water right that is exempt may file this form for the purpose of receiving notice from the Department of permit applications, change authorizations, or reservations that may affect the owner's water right. *Filing this notice does not relieve a person of the responsibility of establishing the existence of the water right.* Acceptance of this form by the Department does not constitute a recognition by the State of Montana that the right is a valid existing water right.

(Emphasis added.)

In essence, a Form 627 is simply a piece of paper on file with the Department. It is not a claim in the adjudication, and the Department's accepting and filing of the Form 627 in no way establishes a water right. At most, it may be a piece of evidence in some future legal proceeding, in a court with proper jurisdiction, to adjudicate the exempt water right. Many water users, however, are under the mistaken impression that filing a Form 627 does something to establish an exempt water right. Water users have been sending various papers to the Department claiming to have "vested" water rights, and they ask the Department to make sure their "vested" exempt water rights are included in the adjudication. Sometimes those letters are accompanied by ownership update forms of "Affidavits of Vested Water Rights" or other documents, and we are told that those update forms, claims, or affidavits have been recorded in the local county courthouse. We are informed by some of the letters that the water user prefers to retain their vested water rights and does not choose to "impair them or destroy them by accepting a mere exempt or mere statement of claim." Water users claim their vested water rights are harmed by the adjudication, and even allege there has been a takings. Some letters also have lengthy demands for answers to legal questions they have regarding the redress of all the wrongs they allege to have occurred to them from the adjudication.

The "Hage" decision, 51 Fed. Cl. 570 (2202), seems to be partly behind the filings with the Department by exempt water users claiming "vested" water rights. In that case before the federal court of claims, ranch owners who alleged that their water rights were taken when the federal government suspended and canceled their grazing permit established that they had appropriated and maintained water rights in certain bodies of water.

*specifically said VESTED water rights incorrect - Court*

The issue of whether an individual can appropriate water on federal land by complying with state procedures has already been addressed in Montana. See *In the Matter of the Adjudication of the Existing Rights to the Use of All the Water, Both Surface and Underground, Within the Missouri River Basin Drainage Area, Between the Musselshell River Between the Musselshell River and Fort Peck Dam in Garfield, McCone, Phillips, Prairie, and Valley Counties, Montana*, Montana Water Court (Case No. 40E-A, June 29, 2005). In that case, the United States objected to 104 stock water claims, filed by 22 claimants in the Missouri River Basin between the Musselshell River and Fort Peck

Dam. The Water Court in response to a motion for partial summary judgment ruled in part as follows:

Montana law, as it existed prior to the Water Use Act of 1973, recognized and acknowledged the right to appropriate and impound private stockwater rights for livestock grazing on federal public lands. It did not require the exclusive use, dominion or control of water in order to appropriate a private water right, nor did it require the appropriator to hold an easement or interest in, or the intent to patent, the place where the water right was appropriated or used.

The Acts of 1866, 1870, and 1877 acknowledged and confirmed the right to appropriate private stockwater rights in accordance with Montana custom and law.

The Act of January 13, 1897, the Stock Raising Homestead Act of 1916, and Public Water Reserve No. 107 do not preclude or preempt state law with respect to the appropriation of private stockwater rights on the water sources involved in this case.

The Taylor Grazing Act of 1934 did not preclude or preempt the right under Montana law to appropriate private stockwater rights for livestock grazing on lands classified by the Act.

The right of the Claimants, under pre-July 1, 1973 Montana law, to appropriate private stockwater rights on federal public land was not without limitation. Whether federal regulations or agreements in effect at the time of any individual appropriation affected the right to appropriate such rights must be decided on a case-by-case basis.

Water Court Case No. Order at 3.

The Water Court also made clear the case was not final and stated, "None of these partial summary judgment rulings as set forth above, or as discussed in the accompanying Opinion, constitute an ultimate finding of fact or conclusion of law with respect to any individual water right claim in this case." *Id.*

In another Water Court case involving water right claims on federal land, *In the Matter of the Adjudication of the Existing Rights to the Use of all the Water, Both Surface and Underground, Within the Jefferson River Drainage Area, Including all Tributaries of the Jefferson River in Broadwater, Gallatin, Madison, Jefferson and Silver Bow Counties, Montana*, Montana Water Court (Case No. 41G-190, July 19, 2005), Judge Loble applied the analysis contained in Case No. 40E-A to uphold claimed stock water rights against objections filed by the BLM and the Forest Service.

Therefore, the issue here isn't so much whether water users claiming exempt water rights would be able to successfully obtain state water rights on federal land, the issue is what is the forum for doing so.

\* The word "vested" has no special significance in regard to exempt rights not claimed in the adjudication, yet it is used by water users in the papers they submit to the Department as if our Department must instantly recognize them as "vested," give them some elevated legal protection, and include them in adjudication decrees. The Department does not have any power to do anything with the papers received, other than just file them, and has no power to insert them into any existing adjudication decrees. As far as the significance of the term "vested," it is important to note that that word cannot be found anywhere in the Montana Constitution where water is discussed, and has no special meaning under Montana law. 1972 Mont. Const. Art. IX, § 3 reads:

Section 3. Water rights. (1) All existing rights to the use of any waters for any useful or beneficial purpose are hereby recognized and conformed.

(2) The use of all water that is now or may hereafter be appropriated for sale, rent, distribution, or other beneficial use, the right-of-way over the lands of others for all ditches, drains, flumes, canals, and aqueducts necessarily used in connection therewith, and the sites for reservoirs necessary for collecting and storing water shall be held to be a public use.

(3) All surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided by law.

(4) The legislature shall provide for the administration, control, and regulation of water rights and shall establish a system of centralized records, in addition to the present system of local records.

Thus, it is not clear why water users expect using the word "vested" will force the Department to do something special with the papers they file with it.

In sum, the Department can do little more than keep such letters and papers in its records, or return such filings to the water user, and respond with copies of this memo that lets water users understand the nature and history of exempt water rights. I hope this brief memorandum will serve to let explain to water users the pertinent history of the adjudication pertaining to exempt rights.

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
GLASGOW WATER RESOURCES REGIONAL OFFICE



BRIAN SCHWEITZER  
GOVERNOR

222 6TH STREET SOUTH  
BOX 1269

STATE OF MONTANA

(406) 228-2561  
FAX (406) 228-8706

January 28, 2008

GLASGOW, MONTANA 59230-1269

*Exhibit 5*

Ronnie D. Korman  
Maxine Korman  
PO Box 162  
Hinsdale MT 59241

RE: Water Right Application 40M 30029814, 40M 30029815, and 40M 30029816

Dear Mr. & Mrs. Korman:

We received your Notice of Water Right applications on October 15, 2007. All three of these applications are located on property currently owned by the State of Montana. When the place of use is located on state land, the water right must be in the name of the State of Montana, Board of Land Commissioners. For this reason, these three applications have been terminated.

The \$150.00 filing fee submitted with the applications will be refunded. The check will be mailed from Helena Central Office.

If you have any questions, please contact me at 406-228-2561.

Sincerely,

*Pam Weinmeister*

Pam Weinmeister  
Water Right Technician  
Glasgow Water Resources Regional Office

PW:pw  
Enc.

*Exhibit 6*

February 8, 2008  
Ron and Maxine Korman  
Box 162  
Hinsdale, Montana

Director Sexton  
Department of Natural Resources and Conservation  
Box 201601  
Helena, Montana

Director Sexton,

Please find the following enclosed: a copy of a letter directed to you and also to the Glasgow DNRC regarding "AMENDMENT TO STATEMENT OF CLAIM" forms that we added the clarification remark "vested water right" and the explanation "priority date precedes passage of Montana Water Users Act. I am sending a copy of a letter from Glasgow DNRC refusing our applications for our vested water rights because they are on state grant sections. I am sure that you know Montana is a "Prior Appropriation Doctrine" state and that the later recognized state grant section was public domain until survey and acceptance of the plat map and the issuance of the patent. The Act of 1866 confirming water rights applied on these lands as well and the state grant patents contain the language "subject to vested and accrued water rights." The Montana Water Court upholds this in case 41-G. The actions of your agency seem to be applying the "Riparian Doctrine" rather than the "Prior Appropriation Doctrine" and seem to be denying us the ability to have our claims of ownership of these prior appropriation rights, which are recognized as vested property and protected under the federal Constitution even be admitted into the process. Your agency seems to be able to make judicial determinations as to what filings will be admitted and why. We are of the opinion we are the owners of appropriative water rights and the Water Users Act did not provide us a method or a remedy to make public notice of vested water rights and protect them in the adjudication. This was a protection that was afforded in the state Organic Act where it had said that "all acts of this legislature shall be null and void except those with respect to vested rights and those claims shall be brought into court." The pre-73 water law stated what surface waters could be appropriated and that language was : "any stream, creek, coulee, river, ravine, lake, spring" and the latter Constitution said : "to recognize and confirm all existing rights to the use of any waters for any useful or beneficial purpose." A reading of part of the Water Resources Survey for Valley County in 1968 discusses how vested water rights were determined by contract before irrigators then exchanged those vested water rights for contract rights with the Bureau of Reclamation. We are unsure if our agreement to the legislatively created water use classifications would essentially perform the same function and we would have voluntarily exchanged vested water rights for something less. Western States Water Law by Samuel Wiel named a Nebraska case where the court had held that legislature cannot alter the nature of property by fiat. The analogy was used that it would be the same as the legislature trying to change the weather by legislative decree. For that reason, we submitted affidavits of ownership of vested water rights to be recorded with our county clerk and recorder and published them in our

7007 0220 0000 2179 5415

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Sent To: Dir Sexton  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4 DNRC Helena  
 PS Form 3800 August 2006 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
Director Sexton  
DNRC  
Box 201601  
Helena, Montana  
59620

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
 X [Signature]

B. Received by (Printed Name) [Signature] G. Date of Delivery FEB 10 2008

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 If YES, enter delivery address below:

3. Service Type  
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 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

local newspaper for three consecutive weeks. We then recorded the affidavits of publication and submitted certified copies of all of these to the Glasgow DNRC and to you. Your response was that the items would be in our file, but not be used in the adjudication. Once again, that seems to us to more properly be a decision of a judge as to whether these documents are to be admitted. We had previously asked for your agency to provide us with the enabling legislation that stated when your agency was initiated and what the purposes and duties and responsibilities were to be. The rather lengthy letter from your legal counsel was of no help. Our reading of 85-2-111-113 "Department powers, Department duties, and Department powers and duties" does not show us where your agency has been given authority to make determinations as to ownership of vested property as this has normally been recognized as a proper function of the judiciary. Your agency action with regard to our claims seems to be an action to deny us due process. We had also returned correction forms 625. "Instructions: use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgements. This form can also be used to correct public lands ownership". We informed your agency of the fact that by legal definition and American Jurisprudence that once a private right or claim attached the public domain or public land ceased to be "public land." Enclosed is a copy of the letter from the Glasgow DNRC stating that the Correction of Water Right Applications are being returned. There is nothing to correct on these water rights. Please read the enclosed memo from Chief Legal Counsel to the Director which addresses exempt rights and the term "vested." Neither you, nor legal counsel has ever replied to our information provided previously regarding the definitions to "vested water right" or that the "act of 1866" "subject to vested and accrued water rights" appears on every land patent, including those issued to the State of Montana. We are also sending a page from the internet indicating a white paper on Montana Water Rights Adjudication purpose, DNRC attorney Tim Hall and the white paper. We request a copy certified by your agency be returned to us in within fifteen business days. As Director of the Department of Natural Resources and Conservation, we want to ensure that you are aware of the actions of your staff and agency. It is our understanding that you and your legal staff have a great deal of knowledge and influence with regard to water law in Montana and have ample opportunity to point out and correct flaws in that law. As a public official, you have taken an oath to uphold the Constitution, which also includes protecting the property of the citizens of Montana and yet, according to the record that we review shows Mr. Petesh at the Environmental Quality Council meeting on September 12, 2006 stating that the reason Mr. Hage (Hage v. U.S., United States Court of Federal Claims) had vested water rights was because Nevada recognized water rights before 1904 as vested. He failed to elaborate on why Montana does not, under the same legal principle that the other prior appropriation doctrine states such as California, New Mexico and South Dakota, recognize, record and adjudicate vested water rights. At that same meeting, Water court judge Lobel states that "exempt rights" do not show up on a decree, a water master can't hear a dispute concerning "exempt rights", that an owner of "exempt rights" can't get into water court or any court in the state. Mr. Hall is on record as pointing out that: "we have known for a long time that this law leaves a certain group of people without a court to go to." You are on record as being present at this September 12, 2006 Environmental quality Council meeting. We felt that this law was flawed due to the

failure to recognize the prior appropriation vested water right and made every good faith effort to have this corrected with HB 711 in the 2006 legislature.

We realize you and your agency abide by the laws as they are, however you also promulgate rules and procedure and interact with the appropriate legislative committees and have opportunities for developing corrective legislation. We are attempting to defend our substantial property interests and property rights and would respectfully demand a statement from you explaining what actions you and the legal staff of your agency are taking and will take to protect our rights. We look forward to your providing us with the certified copy of this white paper and the previously requested enabling legislation and details of your actions to protect our rights. It would be greatly appreciated if this was provided within fifteen business days of your receipt of this letter.

Thank you very much in advance for your assistance and cooperation.

Sincerely,

*Mafie Korman*

*Retaining all rights without prejudice*

*Ron Korman*

*Retaining all rights without prejudice*

*Signed and dated this 12<sup>th</sup> day of February, 2008.*

*Marilyn M. Taylor, Notary*

*Marilyn M. Taylor*

*My Commission expires May 1, 2008*

*Residing at Malta, Montana.*



627 R8/03 *Vested Ron Korman Maxine Korman*  
**NOTICE OF WATER RIGHT**  
**EXEMPT FROM THE ADJUDICATION FILING REQUIREMENTS)**

**RECEIVED**

**COPY**

OCT 15 2007 *Exhibit 7*

**IMPORTANT NOTE**  
Water rights for stock and domestic (one household) uses from groundwater sources (wells, developed springs) were exempted from the filing requirements for claims of existing water rights in the general adjudication of water rights if they met either of the following criteria.

**FOR DEPARTMENT USE ONLY**  
**Glasgow Field Office**  
Application No. 30029814 Basin 40M  
Date Received \_\_\_\_\_  
Rec'd By Pam W  
Fee Rec'd \$ 50.00  
Check No. 1101e Korman Ranch  
Transmittal No. 6FW0809200  
Refund \$ 50.00 Date 1-28-08

- 1. The water must have been in use prior to January 1, 1962, or
- 2. The water must have been put to use between January 1, 1962 and July 1, 1973, and a notice filed under the 1961 Groundwater Codes.

Instream domestic or stock use in use prior to July 1, 1973, was also exempted from the filing requirements.

A person who claims to have a water right that is exempt may file this form for the purpose of receiving notice from the Department of permit applications, change authorizations, or reservations that may affect the owner's water right. Filing this notice does not relieve a person of the responsibility of establishing the existence of the water right. Acceptance of this form by the Department does not constitute a recognition by the State of Montana that the right is a valid existing water right.

Submit the completed form to the Water Resources Office serving the county in which the development is located, as listed on the back of this form.

**Filing Fee: \$50.00**

1. **OWNER'S NAME(S)** Ron Korman and Maxine Korman  
Mailing Address PO Box 162  
City Hinsdale State Montana Zip 59241  
Home Phone 406-648-5536 Other Phone \_\_\_\_\_

2. **DATE THE WATER WAS FIRST USED** Month DEC Day 31 Year 1893  
If only a year is entered, DNRC will assign December 31 as the month and day. If month and year is entered, DNRC will assign the last day of the month.

3. **DATE OF FILING OF WATER USE FROM THE COUNTY COURTHOUSE RECORDS** (attach copy)  
\_\_\_\_\_(month/day/year) \_\_\_\_\_ Document No. \_\_\_\_\_ County \_\_\_\_\_

4. **SOURCE OF WATER** (well, spring, or name of lake, etc.) surface, tributaries, pit/dam, natural reservoirs

5. **DIVERSION RATE** (gallons per minute) \_\_\_\_\_

6. **POINT OF DIVERSION (POD)** Describe the location where water is diverted from the source.  
\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec 16, Twp 27 N/S, Rge 34 E/W, County \_\_\_\_\_  
Lot SBK Tract No. \_\_\_\_\_ COS # \_\_\_\_\_ Subdivision (if any) \_\_\_\_\_

7. **PLACE OF USE:**  
Purpose of Use: \_\_\_\_\_, if place of use is the same as POD, CHECK   
\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_, Twp \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, County \_\_\_\_\_  
Lot \_\_\_\_\_ Blk \_\_\_\_\_ Tract No. \_\_\_\_\_ COS # \_\_\_\_\_ Subdivision (if any) \_\_\_\_\_

Purpose of Use: \_\_\_\_\_, if place of use is the same as POD, CHECK   
\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_, Twp \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, County \_\_\_\_\_  
Lot \_\_\_\_\_ Blk \_\_\_\_\_ Tract No. \_\_\_\_\_ COS # \_\_\_\_\_ Subdivision (if any) \_\_\_\_\_

**MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION**  
1424 9TH AVE., P.O. BOX 201601, HELENA, MT 59620-1601 444-6610  
WEBSITE: <http://www.dnrc.state.mt.us/wrd/home.htm>



E-SE Pit 2-17-1994

E-SW-SE

W-NW

NE-NW

NW-NE

NE-NE

NW-SE-SW Dam

PURPOSE AND PERIOD OF USE:

Domestic: (Use one form per household) Year-round use? Yes  No 
If "No", \_\_\_\_\_ to \_\_\_\_\_ inclusive of each year.
(month/day) (month/day)

Volume for domestic? \_\_\_\_\_ acre-feet/year (see below)

COPY

Lawn and Garden:

(Up to 5 acres) Indicate acreage: \_\_\_\_\_ acres
Period of Use \_\_\_\_\_ to \_\_\_\_\_ inclusive of each year.
(month/day) (month/day)

Volume for lawn and garden? \_\_\_\_\_ acre-feet/year (see below)

Stock:

Number and Type \_\_\_\_\_ Year-round use? Yes  No 
If "No", \_\_\_\_\_ to \_\_\_\_\_ inclusive of each year.
(month/day) (month/day)

Volume for stock? \_\_\_\_\_ acre-feet/year (see below)

9. REMARKS: Use this space to further clarify any of the requested information

Livestock Drink all along on legals Listed

10. OWNER'S SIGNATURE

Don Forman

Date

Dec 11, 2007

11. Use additional sheets if necessary to complete the requested information. Maps showing your point of diversion, place of use, and means of conveyance may be used to further explain your water use. Attach copies of affidavits or other proof of your water use.

AVERAGE WATER REQUIREMENTS

Table with 4 columns: Category, Description, Value, Unit. Includes Domestic Volume (Family of five: 1.0 acre-feet/year), Lawn and Garden Volume (Up to 5.0 acres: 2.50 acre-feet/acre), and Stockwater Volume (Number of head X .017 = \_\_\_\_\_ acre-feet/year).

For other kinds of stock, one additional step is needed.
Milk cows or horses multiply by 1.5
Hogs divide by 3
Sheep divide by 5
Chickens divide by 300

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827 R8/03

*Vested Ron Korman Marie Korman*  
**NOTICE OF WATER RIGHT**

EXEMPT FROM THE ADJUDICATION FILING REQUIREMENTS)

**IMPORTANT NOTE**

Water rights for stock and domestic (one household) uses from groundwater sources (wells, developed springs) were exempted from the filing requirements for claims of existing water rights in the general adjudication of water rights if they met either of the following criteria.

1. The water must have been in use prior to January 1, 1962, or
2. The water must have been put to use between January 1, 1962 and July 1, 1973, and a notice filed under the 1961 Groundwater Codes.

Instream domestic or stock use in use prior to July 1, 1973, was also exempted from the filing requirements.

A person who claims to have a water right that is exempt may file this form for the purpose of receiving notice from the Department of permit applications, change authorizations, or reservations that may affect the owner's water right. Filing this notice does not relieve a person of the responsibility of establishing the existence of the water right. Acceptance of this form by the Department does not constitute a recognition by the State of Montana that the right is a valid existing water right. Submit the completed form to the Water Resources Office serving the county in which the development is located, as listed on the back of this form.

**Filing Fee: \$50.00**

**RECEIVED**  
**COPY** Exhibit 8  
OUT 15 2007

MONTANA DNRC  
FOR DEPARTMENT USE ONLY  
Glasgow Field Office

Application No: 30029815 Basin 40m  
Date Received Perm  
Rec'd By Perm  
Fee Rec'd \$ 50.00  
Check No. 1101a Korman Ranch  
Transmittal No. GFWD0809280  
Refund \$ 50.00 Date 1-28-08

1. **OWNER'S NAME(S)** Ron Korman and Maxine Korman  
Mailing Address PO Box 162  
City HINSDALE State MT Zip 59241  
Home Phone 406-648-5536 Other Phone \_\_\_\_\_

2. **DATE THE WATER WAS FIRST USED** Month DEC Day 31 Year 1893  
If only a year is entered, DNRC will assign December 31 as the month and day. If month and year is entered, DNRC will assign the last day of the month.

3. **DATE OF FILING OF WATER USE FROM THE COUNTY COURTHOUSE RECORDS** (attach copy)  
\_\_\_\_\_(month/day/year) \_\_\_\_\_ Document No. \_\_\_\_\_ County \_\_\_\_\_

4. **SOURCE OF WATER** (well, spring, or name of lake, etc.) surface, tributaries, natural reservoirs

5. **DIVERSION RATE** (gallons per minute) \_\_\_\_\_

6. **POINT OF DIVERSION (POD)** Describe the location where water is diverted from the source.  
\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec 36, Twp 28 N/S, Rge 33 E/W, County \_\_\_\_\_  
Lot \_\_\_\_ Blk \_\_\_\_ Tract No. \_\_\_\_ COS # \_\_\_\_ Subdivision (if any) \_\_\_\_\_

7. **PLACE OF USE:**  
Purpose of Use: \_\_\_\_\_, if place of use is the same as POD, CHECK   
\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_, Twp \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, County \_\_\_\_\_  
Lot \_\_\_\_ Blk \_\_\_\_ Tract No. \_\_\_\_ COS # \_\_\_\_ Subdivision (if any) \_\_\_\_\_

**MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION**  
1424 9TH AVE., P.O. BOX 201601, HELENA, MT 59620-1601 444-6610  
WEBSITE: <http://www.dnrc.state.mt.us/wrd/home.htm>



-NE-NE  
 -NE-NE  
 -SE-NE  
 SW-SE-NE  
 NE-SW-NE  
 SW-NW-NE  
 SE-SE-SE  
 NE-SE-SE  
 NW-SE-SE  
 SW-NE-SE

Logals on see 36 - T. 28 - R. 33  
 ↓

**PURPOSE AND PERIOD OF USE:**

**Domestic:** (Use one form per household) Year-round use? Yes  No   
 If "No", \_\_\_\_\_ to \_\_\_\_\_ inclusive of each year.  
 (month/day) (month/day)  
 Volume for domestic? \_\_\_\_\_ acre-feet/year (see below)

**COPY**

**Lawn and Garden:**

(Up to 5 acres) Indicate acreage: \_\_\_\_\_ acres  
 Period of Use \_\_\_\_\_ to \_\_\_\_\_ inclusive of each year.  
 (month/day) (month/day)  
 Volume for lawn and garden? \_\_\_\_\_ acre-feet/year (see below)

**Stock:**

Number and Type \_\_\_\_\_ Year-round use? Yes  No   
 If "No", \_\_\_\_\_ to \_\_\_\_\_ inclusive of each year.  
 (month/day) (month/day)  
 Volume for stock? \_\_\_\_\_ acre-feet/year (see below)

9. **REMARKS:** Use this space to further clarify any of the requested information.  
*Cattle DRINK all along on Legals listed*  
*pasture*

10. **OWNER'S SIGNATURE** *Don Lorman* Date *Oct 11, 2007*

11. Use additional sheets if necessary to complete the requested information. Maps showing your point of diversion, place of use, and means of conveyance may be used to further explain your water use. Attach copies of affidavits or other proof of your water use.

**AVERAGE WATER REQUIREMENTS**

<b>Domestic Volume:</b>	Family of five	1.0	acre-feet/year
	1/4 acre or less lawn and garden	.63	acre-feet/year
	Total volume	1.63	acre-feet/year
<b>Lawn and Garden Volume:</b>	Up to 5.0 acres	2.50	acre-feet/acre
<b>Stockwater Volume:</b>	Number of head X .017 = _____ acre-feet/year (for beef cattle)		
	For other kinds of stock, one additional step is needed.		
	Milk cows or horses	multiply by 1.5	
	Hogs	divide by 3	
	Sheep	divide by 5	
	Chickens	divide by 300	

**WATER RESOURCES REGIONAL OFFICES**

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For Mailing, Use Post Office Box Number.

627 RB/03 *vested* *Don Korman*  
**NOTICE OF WATER RIGHT** *maxine Korman*

EXEMPT FROM THE ADJUDICATION FILING REQUIREMENTS

**COPY**

**RECEIVED**

OCT 15 2007  
*Exhibit 9*

FOR DEPARTMENT USE ONLY  
Glasgow Field Office

Application No. 30029816 Basin 40m  
Date Received \_\_\_\_\_  
Rec'd By [Signature]  
Fees Rec'd \$ 50.00  
Check No. 11016 Korman Ranch  
Transmittal No. GFWD009280  
Refund \$ 50.00 Date 1-28-08

**IMPORTANT NOTE**

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2. The water must have been put to use between January 1, 1962 and July 1, 1973, and a notice filed under the 1961 Groundwater Codes.

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Submit the completed form to the Water Resources Office serving the county in which the development is located, as listed on the back of this form.

**Filing Fee: \$50.00**

1. **OWNER'S NAME(S)** Don Korman and Maxine Korman  
Mailing Address PO Box 162  
City Hinsdale State mt Zip 59241  
Home Phone 406-648-5536 Other Phone \_\_\_\_\_

2. **DATE THE WATER WAS FIRST USED** Month Dec Day 31 Year 1893  
If only a year is entered, DNRC will assign December 31 as the month and day. If month and year is entered, DNRC will assign the last day of the month.

3. **DATE OF FILING OF WATER USE FROM THE COUNTY COURTHOUSE RECORDS** (attach copy)  
\_\_\_\_\_(month/day/year) \_\_\_\_\_ Document No. \_\_\_\_\_ County \_\_\_\_\_

4. **SOURCE OF WATER** (well, spring, or name of lake, etc.) surface, tributaries, natural reservoirs

5. **DIVERSION RATE** (gallons per minute) \_\_\_\_\_

6. **POINT OF DIVERSION (POD)** Describe the location where water is diverted from the source.  
See Back 1/4 Sec 36, Twp 28 N/S, Rge 34 E/W, County \_\_\_\_\_  
Lot \_\_\_\_\_ Blk \_\_\_\_\_ Tract No. \_\_\_\_\_ COS # \_\_\_\_\_ Subdivision (if any) \_\_\_\_\_

7. **PLACE OF USE:**  
Purpose of Use: \_\_\_\_\_, if place of use is the same as POD, CHECK   
\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_, Twp \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, County \_\_\_\_\_  
Lot \_\_\_\_\_ Blk \_\_\_\_\_ Tract No. \_\_\_\_\_ COS # \_\_\_\_\_ Subdivision (if any) \_\_\_\_\_  
  
Purpose of Use: \_\_\_\_\_, if place of use is the same as POD, CHECK   
\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_, Twp \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, County \_\_\_\_\_  
Lot \_\_\_\_\_ Blk \_\_\_\_\_ Tract No. \_\_\_\_\_ COS # \_\_\_\_\_ Subdivision (if any) \_\_\_\_\_

**MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION**  
1424 9TH AVE., P.O. BOX 201601, HELENA, MT 59620-1601 444-6610  
WEBSITE: <http://www.dnrc.state.mt.us/wrd/home.htm>



- SW - SE  
 - SW - SE  
 - SW - SE  
 NE - NW - SE  
 SW - NW - SE  
 SE - NE - SW  
 NE - NE - SW  
 NW - NE - SW  
 SW - ~~SW~~ - NW  
 SE - SW - NW  
 NE - SW - NW  
 NW - SW - NW  
 NW - NW - NW  
 SE - NW - NW  
 NE - NW - NW  
 SW - NW - NW  
 NW - SW - SW  
 SW - SW - SW  
 NW - NW - SW  
 SW - NW - SW  
 NE - NW - SW

Logals m see 36-834-728  
 ↓

**PURPOSE AND PERIOD OF USE:**

**Domestic:** (Use one form per household) Year-round use? Yes  No   
If "No", \_\_\_\_\_ to \_\_\_\_\_ inclusive of each year.  
(month/day) (month/day)  
Volume for domestic? \_\_\_\_\_ acre-feet/year (see below)

**COPY**

**Lawn and Garden:**

(Up to 5 acres) Indicate acreage: \_\_\_\_\_ acres  
Period of Use \_\_\_\_\_ to \_\_\_\_\_ inclusive of each year.  
(month/day) (month/day)  
Volume for lawn and garden? \_\_\_\_\_ acre-feet/year (see below)

**Stock:**

Number and Type \_\_\_\_\_ Year-round use? Yes  No   
If "No", \_\_\_\_\_ to \_\_\_\_\_ inclusive of each year.  
(month/day) (month/day)  
Volume for stock? \_\_\_\_\_ acre-feet/year (see below)

9. **REMARKS;** Use this space to further clarify any of the requested information.

*Livestock drink all along on Legals Listed*

10. **OWNER'S SIGNATURE**

*Don Lorman*

Date *01/11/2007*

11. Use additional sheets if necessary to complete the requested information. Maps showing your point of diversion, place of use, and means of conveyance may be used to further explain your water use. Attach copies of affidavits or other proof of your water use.

**AVERAGE WATER REQUIREMENTS**

<b>Domestic Volume:</b>	Family of five	1.0	acre-feet/year
	1/4 acre or less lawn and garden	.63	acre-feet/year
	Total volume	1.63	acre-feet/year
<b>Lawn and Garden Volume:</b>	Up to 5.0 acres	2.50	acre-feet/acre
<b>Stockwater Volume:</b>	Number of head X .017 = _____	acre-feet/year (for beef cattle)	
	For other kinds of stock, one additional step is needed.		
	Milk cows or horses	multiply by 1.5	
	Hogs	divide by 3	
	Sheep	divide by 5	
	Chickens	divide by 300	

**WATER RESOURCES REGIONAL OFFICES**

**Billings**

Airport Business Park  
1371 Rimtop Drive  
Billings, MT 59105-1978  
Phone: 406-247-4415  
Fax: 406-247-4416  
Serving: Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Stillwater, Sweet Grass, Treasure, and Yellowstone Counties

**Hayre**

210 8th Avenue  
P.O. Box 1828  
Hayre, MT 59601-1828  
Phone: 406-265-5518  
Fax: 406-265-2225  
Serving: Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties

**Lawistown**

613 NE Main Street, Suite E  
Lawistown, MT 59457-2020  
Phone: 406-538-7459  
Fax: 406-538-7089  
Serving: Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, and Wheatland Counties

**Bozeman**

2273 Boot Hill Court, Suite 110  
Bozeman, MT 59715  
Phone: 406-586-3136  
Fax: 406-587-9726  
Serving: Gallatin, Madison, and Park Counties

**Helena**

1424 9th Ave.  
P.O. Box 201601  
Helena, MT 59620-1601  
Phone: 406-444-6999  
Fax: 406-444-9317  
Serving: Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis and Clark, Powell, and Silver Bow Counties

**Missoula**

Town and Country Shopping Center  
1610 South 3rd Street West, Suite 103  
P.O. Box 5004  
Missoula, MT 59806-5004  
Phone: 406-721-4284  
Fax: 406-542-1496  
Serving: Granite, Mineral, Missoula, and Ravalli Counties

**Glasgow**

222 6th Street South  
P.O. Box 1269  
Glasgow, MT 59230-1269  
Phone: 406-228-2561  
Fax: 406-228-6706  
Serving: Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley, and Wibaux Counties

**Kalispell**

109 Cooperative Way, Suite 110  
Kalispell, MT 59901-2387  
Phone: 406-752-2288  
Fax: 406-752-2843  
Serving: Flathead, Lake, Lincoln, and Sanders Counties

For Mailing, Use Post Office Box Number.

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Exhibit 10

525 R3/98

**INSTRUCTIONS**  
 Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a *Water Right Ownership Update Form No. 608*.  
**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

JAN 25 2008  
**DEPARTMENT BLOCK**  
 Montana DWRC  
 Date Form Completed \_\_\_\_\_  
 Reviewed By \_\_\_\_\_  
 Original Document Issue Date \_\_\_\_\_  
 New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

40 m 3000 5530  
 Water Right Owner of Record Ron Norman + Maxine Norman  
 Mailing Address box 162  
 City/State/Zip Hinsdale, Montana  
 Home Phone 648-5536 Day Phone "

**WATER RIGHT TO BE CORRECTED** 40 m 3000 5530  
 Certificate of Water Right No. \_\_\_\_\_  
 Permit to Appropriate Water No. \_\_\_\_\_  
 Authorization to Change No. \_\_\_\_\_  
 Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**  
should be recognized as vested NOT EXEMPT  
remark about federal land or public land inappropriate  
with respect to our prior appropriation vested  
water right  
SEE ATTACHED DOCUMENT

Maxine Norman  
 Retaining all rights without prejudice  
 Department/Owner Signature \_\_\_\_\_ Date Jan 20, 2008

Ron Norman  
 Retaining all rights without prejudice 1-20-08

RECEIVED

Exhibit 11

525 R3/98

**INSTRUCTIONS**  
 Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a *Water Right Ownership Update Form* No. 608.  
**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

JAN 25 2008

Montana DNRC  
3590747

**DEPARTMENT BLOCK**  
 Date Form Completed \_\_\_\_\_  
 Reviewed By \_\_\_\_\_  
 Original Document Issue Date \_\_\_\_\_  
 New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

40 m 3000 5534  
 Water Right Owner of Record Ron Norman & Maxine Norman  
 Mailing Address box 162  
 City/State/Zip Mindsale, Montana  
 Home Phone 648-5536 Day Phone 11

- WATER RIGHT TO BE CORRECTED** 40 m 3000 5534
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**  
should be recognized as vested not EXEMPT  
remark about federal land or public land  
inappropriate with respect to our prior appropriation  
vested water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Norman Date Jan 20, 2008  
Retaining all rights without prejudice

Ron Norman  
Retaining all rights without prejudice 1-20-08

RECEIVED

Exhibit 12

625 R3/98

JAN 25 2008

**INSTRUCTIONS**  
 Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.  
**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

**DEPARTMENT BLOCK**  
 Montana DNRC  
 Glasgow Field Office  
 Date Form Completed \_\_\_\_\_  
 Reviewed By \_\_\_\_\_  
 Original Document Issue Date \_\_\_\_\_  
 New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40M 3000 5542  
Ron Korman & Maxine Korman  
 Mailing Address box 162  
 City/State/Zip Hinsdale, Montana  
 Home Phone 648-5536 Day Phone \_\_\_\_\_

**WATER RIGHT TO BE CORRECTED** 40M 3000 554

Certificate of Water Right No. \_\_\_\_\_  
 Permit to Appropriate Water No. \_\_\_\_\_  
 Authorization to Change No. \_\_\_\_\_  
 Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**  
Should be recognized as vested NOT EXEMPT  
remark about federal land or public  
land inappropriate with respect to our  
prior appropriation vested water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Korman Date Jan 20, 2008  
Returning all rights without prejudice  
Ron Korman  
Returning all rights without prejudice 1-20-08

Exhibit 13

RECEIVED

625 R3/98

**INSTRUCTIONS**  
 Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.  
**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

JAN 25 2008 DEPARTMENT BLOCK  
 Date Form Completed \_\_\_\_\_  
 Reviewed By \_\_\_\_\_  
 Original Document Issue Date \_\_\_\_\_  
 New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40M 3000 5543 Ron Norman & Maxine Norman  
 Mailing Address box 162  
 City/State/Zip Hinsdale, Montana  
 Home Phone 648-5536 Day Phone "

- WATER RIGHT TO BE CORRECTED** 40M 3000 5543
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**  
Should be recognized as vested NOT EXEMPT  
remark about federal land or public land  
in appropriate with respect to our prior appropriation  
vested water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Norman Date Jan 20, 2008  
Retaining all rights without prejudice  
Ron Norman  
Retaining all rights without prejudice 1-20-08

Exhibit 14

625 R3/98

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**INSTRUCTIONS**

Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.

**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

**DEPARTMENT BLOCK**

JAN 25 2008

Date Form Completed \_\_\_\_\_

Reviewed By \_\_\_\_\_

Original Document Issue Date \_\_\_\_\_

New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

40 m 3000 5547

Water Right Owner of Record Ron Korman & Maxine Korman

Mailing Address box 162

City/State/Zip Hinsdale, Montana

Home Phone 648-5536 Day Phone 11

- WATER RIGHT TO BE CORRECTED** 40 m 3000 5547
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as vested NOT EXEMPT

remark about federal land or public land inappropriate

with respect to our prior appropriation vested

water right

SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Korman Date Jan 20, 2008

Retaining all rights without prejudice

Ron Korman

Retaining all rights without prejudice 1-20-08

Exhibit 15

625 R3/98

**INSTRUCTIONS**

Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.

FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.

**DEPARTMENT BLOCK**

Date Form Completed \_\_\_\_\_

Reviewed By \_\_\_\_\_

Original Document Issue Date \_\_\_\_\_

New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40 m 3000 9859  
Ron Korman & Maxine Korman  
Mailing Address box 162  
City/State/Zip Hinsdale, Montana  
Home Phone 648-5536 Day Phone \_\_\_\_\_

- WATER RIGHT TO BE CORRECTED** 40 m 3000 9859
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land inappropriate  
with respect to our prior appropriation vested  
water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Korman Date Jan 20, 2008  
Retaining all rights without prejudice

Ron Korman  
Retaining all rights without prejudice 1-20-08

Exhibit 16

625 R3/98

**INSTRUCTIONS**

Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.

FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.

**DEPARTMENT BLOCK**

Date Form Completed \_\_\_\_\_  
Reviewed By \_\_\_\_\_  
Original Document Issue Date \_\_\_\_\_  
New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40m 3000 9861  
Don Norman & Maxine Norman  
Mailing Address box 162  
City/State/Zip Mindsde, Montana  
Home Phone 648-5536 Day Phone "

- WATER RIGHT TO BE CORRECTED** 40 m 3000 9861
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land  
in appropriate with respect to our prior appropriation  
vested water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Norman Date Jan 20, 2008  
Retaining all rights without prejudice

Don Norman  
Retaining all rights without prejudice 1-20-08

Exhibit 17

RECEIVED

625 R3/98

**INSTRUCTIONS**  
 Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a *Water Right Ownership Update Form No. 608*.  
**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

DEPARTMENT BLOCK  
 JAN 25 2008  
 Date Form Completed \_\_\_\_\_  
 Reviewed By \_\_\_\_\_  
 Original Document Issue Date \_\_\_\_\_  
 New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40M 3000 9864  
Ron Korman + Maxine Korman  
 Mailing Address box 162  
 City/State/Zip Hinsdale, Montana  
 Home Phone 648-5536 Day Phone "

**WATER RIGHT TO BE CORRECTED** 40 M 3000 9864

- Certificate of Water Right No. \_\_\_\_\_
- Permit to Appropriate Water No. \_\_\_\_\_
- Authorization to Change No. \_\_\_\_\_
- Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**  
should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land inappropriate  
with respect to our prior appropriation vested  
water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Korman Date Jan 20, 2008  
Retaining all rights without prejudice  
Don Korman  
Retaining all rights without prejudice 1-20-08

Exhibit 18

625 R3/98

**INSTRUCTIONS**

Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.

FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.

**DEPARTMENT BLOCK**

Date Form Completed \_\_\_\_\_

Reviewed By \_\_\_\_\_

Original Document Issue Date \_\_\_\_\_

New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40 m 3000 9866  
Ron Norman & Maxine Norman  
Mailing Address box 162  
City/State/Zip Hinsdale, Montana  
Home Phone 648-5536 Day Phone "

**WATER RIGHT TO BE CORRECTED** 40 M 3000 9866

- Certificate of Water Right No. \_\_\_\_\_
- Permit to Appropriate Water No. \_\_\_\_\_
- Authorization to Change No. \_\_\_\_\_
- Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land  
inappropriate with respect to our prior appropriation  
vested water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Norman Date Jan 20, 2008  
Retaining all rights without prejudice

Ron Norman  
Retaining all rights without prejudice 1-20-08

Exhibit 19

RECEIVED

**INSTRUCTIONS**

to correct water right record errors on Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.

**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

**DEPARTMENT BLOCK**

Montana DNRC  
 Date Form Completed \_\_\_\_\_  
 Reviewed By \_\_\_\_\_  
 Original Document Issue Date \_\_\_\_\_  
 New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40 m 3000 9867  
Ron Korman + Maxine Korman

Mailing Address box 162

City/State/Zip Hinsdale, Montana

Home Phone 648-5536 Day Phone 11

**WATER RIGHT TO BE CORRECTED** 40 m 3000 9867

Certificate of Water Right No. \_\_\_\_\_

Permit to Appropriate Water No. \_\_\_\_\_

Authorization to Change No. \_\_\_\_\_

Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land  
inappropriate with respect to our prior  
appropriation vested water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Korman Date Jan 20, 2008  
Retaining all rights without prejudice

Ron Korman  
Retaining all rights without prejudice 1-20-08

Exhibit 20

2-2398

**INSTRUCTIONS**

Use this form to correct water right record errors on Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.

**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

JAN 25 2008 DEPARTMENT BLOCK

Date Form Completed \_\_\_\_\_  
 Glasgow Field Office  
 Reviewed By \_\_\_\_\_

Original Document Issue Date \_\_\_\_\_

New Document Mailed \_\_\_\_\_

### CORRECTION OF WATER RIGHT RECORD

40m 3000 9848

Water Right Owner of Record Ron Korman & Maxine Korman

Mailing Address box 162

City/State/Zip Hinsdale, Montana

Home Phone 648-5536 Day Phone 11

**WATER RIGHT TO BE CORRECTED** 40m 3000 9868

Certificate of Water Right No. \_\_\_\_\_

Permit to Appropriate Water No. \_\_\_\_\_

Authorization to Change No. \_\_\_\_\_

Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as VESTED NOT EXEMPT

remark about federal land or public land inappropriate

with respect to our prior appropriation vested

water right

SEE ATTACHED DOCUMENT

Maxine Korman  
 Retaining all rights without prejudice

Department/Owner Signature \_\_\_\_\_ Date Jan 20, 2008

Ron Korman  
 Retaining all rights without prejudice 1-20-08

Exhibit 21

625 R3/98

**INSTRUCTIONS**

Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a *Water Right Ownership Update Form* No. 808.

**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

RECEIVED

JAN 25 2008

**DEPARTMENT BLOCK**

Date Form Completed \_\_\_\_\_

Reviewed By \_\_\_\_\_

Original Document Issue Date \_\_\_\_\_

New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

40m 3000 9871

Water Right Owner of Record Ron Korman + Maxine Korman

Mailing Address box 162

City/State/Zip Minsdale, Montana

Home Phone 648-5536 Day Phone 11

**WATER RIGHT TO BE CORRECTED**

40 m 3000 9871

- Certificate of Water Right No. \_\_\_\_\_
- Permit to Appropriate Water No. \_\_\_\_\_
- Authorization to Change No. \_\_\_\_\_
- Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land inappropriate  
with respect to our prior appropriation vested  
water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature

Maxine Korman  
Retaining all rights without prejudice

Date Jan 20, 2008

Ron Korman  
Retaining all rights without prejudice 1-20-08

83/98

**INSTRUCTIONS**

Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.

**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

JAN 25 2008

**DEPARTMENT BLOCK**

Montana DNR  
Glasgow Field Office

Date Form Completed \_\_\_\_\_

Reviewed By \_\_\_\_\_

Original Document Issue Date \_\_\_\_\_

New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

40 m 3000 9873

Water Right Owner of Record Ron Norman + Maxine Norman

Mailing Address box 162

City/State/Zip Hinsdale, Montana

Home Phone 648-5536 Day Phone 11

**WATER RIGHT TO BE CORRECTED** 40 m 3000 9873

Certificate of Water Right No. \_\_\_\_\_

Permit to Appropriate Water No. \_\_\_\_\_

Authorization to Change No. \_\_\_\_\_

Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as VESTED NOT EXEMPT

remark about federal land or public land inappropriate

with respect to our prior appropriation vested

water right

SEE ATTACHED DOCUMENT

Maxine Norman  
Retaining all rights without prejudice

Department/Owner Signature \_\_\_\_\_ Date Jan 20, 2008

Ron Norman  
Retaining all rights without prejudice 1-20-08

Exhibit 23

55 R3/98

**INSTRUCTIONS**

Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a *Water Right Ownership Update Form* No. 608.

**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

**DEPARTMENT BLOCK**

Date Form Completed \_\_\_\_\_

Reviewed By \_\_\_\_\_

Original Document Issue Date \_\_\_\_\_

New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

40 m 3000 9877  
 Water Right Owner of Record Ron Norman + Maxine Norman  
 Mailing Address box 162  
 City/State/Zip Hinsdale, Montana  
 Home Phone 648-5536 Day Phone \_\_\_\_\_

- WATER RIGHT TO BE CORRECTED** 40 M 3000 9877
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land inappropriate  
with respect to our prior appropriation vested  
water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Norman Date Jan 20, 2008  
Returning all rights without prejudice  
Ron Norman  
Returning all rights without prejudice 1-20-08

Exhibit 24

RS R3/98

**INSTRUCTIONS**

This form to correct water right record errors on permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.

**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

**DEPARTMENT BLOCK**

Date Form Completed \_\_\_\_\_

Reviewed By \_\_\_\_\_

Original Document Issue Date \_\_\_\_\_

New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40 M 3000 9878  
Ron Norman & Maxine Norman

Mailing Address box 162

City/State/Zip Hinsdale, Montana

Home Phone 648-5536 Day Phone 11

- WATER RIGHT TO BE CORRECTED** 40 M 3000 9878
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as vested NOT EXEMPT

remark about federal land or public land inappropriate

with respect to our prior appropriation vested

water right

SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Norman Retaining all rights without prejudice Date Jan 20, 2008

Ron Norman Retaining all rights without prejudice 1-20-08

Exhibit 25

3-98

RECEIVED  
JAN 25 2008

**INSTRUCTIONS**  
 This form to correct water right record errors on  
 Applications, Authorizations, Certificates, and Exempt  
 Acknowledgments. This form can also be used to  
 correct public lands ownership. If a transfer of property  
 occurred, use a Water Right Ownership Update Form  
 No. 608.  
**FOR CLAIMS, FOLLOW THE  
 ADJUDICATION AMENDMENT PROCEDURES.**

Montana DNRC DEPARTMENT BLOCK  
 Deputy Field Office  
 Date Form Completed \_\_\_\_\_  
 Reviewed By \_\_\_\_\_  
 Original Document Issue Date \_\_\_\_\_  
 New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40 m 3000 9885  
Ron Korman + Maxine Korman  
 Mailing Address box 162  
 City/State/Zip Hinsdale, Montana  
 Home Phone 648-5536 Day Phone 11

- WATER RIGHT TO BE CORRECTED** 40 m 3000 9885
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**  
should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land  
inappropriate with respect to our prior appropriation  
vested water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Korman Date Jan 20, 2008  
Retaining all rights without prejudice  
Ron Korman  
Retaining all rights without prejudice 1-20-08

**INSTRUCTIONS**  
 Form to correct water right record errors on Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.  
**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

**DEPARTMENT BLOCK**  
 Date Form Completed \_\_\_\_\_  
 Reviewed By \_\_\_\_\_  
 Original Document Issue Date \_\_\_\_\_  
 New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40 M 3000 9886 Ron Korman + Maxine Korman  
 Mailing Address Box 162  
 City/State/Zip Mindsay, Montana  
 Home Phone 648-5536 Day Phone 11

- WATER RIGHT TO BE CORRECTED** 40 M 3000 9886
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**  
should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land  
inappropriate with respect to our prior  
appropriation vested water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Marilyn Korman Retaining all rights without prejudice Date Jan 20, 2008

Ron Korman  
 Retaining all rights without prejudice 1-20-08

Exhibit 27

No. 625 R3/98

**INSTRUCTIONS**

Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a *Water Right Ownership Update Form* No. 608.

FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.

**DEPARTMENT BLOCK**

Date Form Completed \_\_\_\_\_

Reviewed By \_\_\_\_\_

Original Document Issue Date \_\_\_\_\_

New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40m 3000 9887  
Ron Korman + Maxine Korman  
Mailing Address box 162  
City/State/Zip Hinsdale, Montana  
Home Phone 648-5536 Day Phone 11

- WATER RIGHT TO BE CORRECTED** 40 M 3000 9887
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land inappropriate  
with respect to our prior appropriation vested water  
right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Korman Date Jan 20, 2008  
Retaining all rights without prejudice

Ron Korman  
Retaining all rights without prejudice 1-20-08

Exhibit 28

**INSTRUCTIONS**  
 This form to correct water right record errors on  
 Authorizations, Certificates, and Exempt  
 Acknowledgments. This form can also be used to  
 correct public lands ownership. If a transfer of property  
 occurred, use a Water Right Ownership Update Form  
 No. 608.  
**FOR CLAIMS, FOLLOW THE  
 ADJUDICATION AMENDMENT PROCEDURES.**

**DEPARTMENT BLOCK**  
 Date Form Completed \_\_\_\_\_  
 Reviewed By \_\_\_\_\_  
 Original Document Issue Date \_\_\_\_\_  
 New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40 m 3000 9890  
Ron Korman + Maxine Korman  
 Mailing Address box 162  
 City/State/Zip Mindsale, Montana  
 Home Phone 648-5536 Day Phone "

- WATER RIGHT TO BE CORRECTED** 40 m 3000 9890
- Certificate of Water Right No. \_\_\_\_\_
  - Permit to Appropriate Water No. \_\_\_\_\_
  - Authorization to Change No. \_\_\_\_\_
  - Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**  
should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land inappropriate  
with respect to our prior appropriation vested water  
rights  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Korman Date Jan 20, 2008  
Retaining all rights without prejudice  
Ron Korman  
Retaining all rights without prejudice 1-20-08

25 R3/98

**INSTRUCTIONS**

Use this form to correct water right record errors on Permits, Authorizations, Certificates, and Exempt Acknowledgments. This form can also be used to correct public lands ownership. If a transfer of property occurred, use a Water Right Ownership Update Form No. 608.

**FOR CLAIMS, FOLLOW THE ADJUDICATION AMENDMENT PROCEDURES.**

**DEPARTMENT BLOCK**

Date Form Completed \_\_\_\_\_

Reviewed By \_\_\_\_\_

Original Document Issue Date \_\_\_\_\_

New Document Mailed \_\_\_\_\_

**CORRECTION OF WATER RIGHT RECORD**

Water Right Owner of Record 40 M 3000 98 93  
Ron Korman & Maxine Korman

Mailing Address box 162

City/State/Zip Hinsdale, Montana

Home Phone 648-5536 Day Phone 11

**WATER RIGHT TO BE CORRECTED** 40 M 3000 98 93

Certificate of Water Right No. \_\_\_\_\_

Permit to Appropriate Water No. \_\_\_\_\_

Authorization to Change No. \_\_\_\_\_

Acknowledgment of Exempt Water Right No. \_\_\_\_\_

**ERROR AND CORRECTIONS NEEDED (EXPLAIN THE ERROR AND WHAT CORRECTIONS SHOULD BE MADE.)**

should be recognized as VESTED NOT EXEMPT  
remark about federal land or public land inappropriate  
with respect to our prior appropriation vested  
water right  
SEE ATTACHED DOCUMENT

Department/Owner Signature Maxine Korman Date Jan 20, 2008  
Retaining all rights without prejudice

Ron Korman  
Retaining all rights without prejudice 1-20-08

Exhibit 30

### AMENDMENT TO STATEMENT OF CLAIM

of Vested Water Right  
Priority date precedes passage of WATER USERS ACT

Claim Nos.: 40M-164811-00

Owner(s): Ron Korman + Maxine Korman

I make the following amendment(s) to the above statement of claim(s):

(Complete only those sections that require amendment.)

1. Owner of Water Right: Korman Ron D  See attachment  
(last, first, middle initial)

Co-owner or Other Interested Owner: Korman Maxine E  
(last, first, middle initial)

Address box 162

City, State, Zip Code Mindsdale Montana

Home Phone No. (406) 648-5536 Business Phone No. (406) 648-5536

2. Purpose (use): \_\_\_\_\_

a. If irrigation, method of irrigation use  Sprinkler  Flood  Water spreading  
 Subirrigation  Natural Overflow

b. If domestic, number of households served: \_\_\_\_\_

c. If stock, total number and type of livestock served: \_\_\_\_\_

3. Source of Water: \_\_\_\_\_ Tributary of \_\_\_\_\_

4. Point of Diversion: County - \_\_\_\_\_  See attachment

_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____

Subdivision: \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

Please attach a map showing all points of diversion for this water right.

5. Means of Diversion:  Well  Instream Use  Dam  
 Headgate  Pump: Capacity - \_\_\_\_\_ gpm  
 Other - \_\_\_\_\_

6. Means of Conveyance:  Ditch  Pipeline  Instream Use  
 Other - \_\_\_\_\_

Exhibit 30

40 M 164811-00

Use: County - \_\_\_\_\_  See attachment

_____ acres	Lot	Block	1/4	1/4	1/4	Section	T	R
_____ acres	Lot	Block	1/4	1/4	1/4	Section	T	R
_____ acres	Lot	Block	1/4	1/4	1/4	Section	T	R
_____ acres	Lot	Block	1/4	1/4	1/4	Section	T	R
_____ acres	Lot	Block	1/4	1/4	1/4	Section	T	R

Total Acres. Subdivision - \_\_\_\_\_

- Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_  cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  
 Filed Appropriation Right  
 Use Right

Please attach proof of priority date or type of right.

13. Reasons for Amendment: WATER MAY BE DIVERTED IN YEAR-ROUND MAY BE DIVERTED OUT YEAR-ROUND

14. Comments: Valid priority date precedes passage of Water Users Act

15. Notarized Statement Signed by Owner:  See attachment

I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Maria Hoover Feb 12, 2008  
 Signature Date  
Retaining all rights without prejudice  
Don Kerstan 2-12-08  
 Signature Date  
Retaining all rights without prejudice

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008



Maria M. Taylor  
 Notary Public for the State of Montana

Maria M. Taylor  
 Notary's Printed Name

Residing at: Matte, Montana  
 My commission expires: May 1, 2008

Exhibit 31

**AMENDMENT**

**TO STATEMENT OF CLAIM of Vested Water Right**

Priority date PRECEDES passage of Water Users Act

40 M 16 4812-00

Ron Norman + Maxine Norman

Make the following amendment(s) to the above statement of claim(s):

(Complete only those sections that require amendment.)

Owner of Water Right: Norman Ron D  See attachment  
(last, first, middle initial)

Co-owner or Other Interested Owner: Norman Maxine E  
(last, first, middle initial)

Address Box 162

City, State, Zip Code Mindsdale Montana 59241

Home Phone No. (406) 648-5536 Business Phone No. ( " ) "

2. Purpose (use): \_\_\_\_\_

- a. If irrigation, method of irrigation use  Sprinkler  Flood  Water spreading  
 Subirrigation  Natural Overflow

b. If domestic, number of households served: \_\_\_\_\_

c. If stock, total number and type of livestock served: \_\_\_\_\_

3. Source of Water: \_\_\_\_\_ Tributary of \_\_\_\_\_

4. Point of Diversion: County - \_\_\_\_\_  See attachment

____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section	T	R
____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section	T	R
____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section	T	R
____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section	T	R
____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section	T	R
____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section	T	R

Subdivision: \_\_\_\_\_

- Replaces claimed information
- Supplements claimed information
- Addendum included

Please attach a map showing all points of diversion for this water right.

5. Means of Diversion:  Well  Instream Use  Dam  
 Headgate  Pump: Capacity - gpm  
 Other - \_\_\_\_\_

6. Means of Conveyance:  Ditch  Pipeline  Instream Use  
 Other - \_\_\_\_\_

40 M 16 4812-00

Exhibit 31

Use: County -  See attachment

Lot	Block	1/4	1/4	1/4	Section	T	R
Lot	Block	1/4	1/4	1/4	Section	T	R
Lot	Block	1/4	1/4	1/4	Section	T	R
Lot	Block	1/4	1/4	1/4	Section	T	R
Lot	Block	1/4	1/4	1/4	Section	T	R

Total Acres. Subdivision - \_\_\_\_\_

- Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_

cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  
 Filed Appropriation Right  
 Use Right

Please attach proof of priority date or type of right.

13. Reasons for Amendment: Water may be diverted in year-round, may be diverted out year-round

14. Comments: Valid priority date precedes passage of Water Users Act

15. Notarized Statement Signed by Owner:  See attachment

I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Mattie Thontena Feb 17, 2008  
 Signature Date  
Retaining all rights without prejudice  
Don Korman 2-12-08  
 Signature Date  
Retaining all rights without prejudice

STATE OF MONTANA.  
 County of Phillips

Subscribed and sworn before me this 12 day of February, 2008

Marilyn M. Taylor  
 Notary Public for the State of Montana

Marilyn M. Taylor  
 Notary's Printed Name

Residing at: Mattie Thontena

My commission expires: May 1, 2008



Exhibit 32

AMENDMENT TO STATEMENT OF CLAIM

of Vested Water Right Priority date precedes passage of Water Users Act

Claim Nos.: 40 M 164814-00

Owner(s):

I make the following amendment(s) to the above statement of claim(s):

(Complete only those sections that require amendment.)

1. Owner of Water Right: Norman Ron D (last, first, middle initial) See attachment

Co-owner or Other Interested Owner: Norman Maxine E (last, first, middle initial)

Address box 162

City, State, Zip Code Hinsdale Montana 59241

Home Phone No. (406) 648-5536 Business Phone No. ( ) "

2. Purpose (use):

a. If irrigation, method of irrigation use: [ ] Sprinkler [ ] Flood [ ] Water spreading [ ] Subirrigation [ ] Natural Overflow

b. If domestic, number of households served:

c. If stock, total number and type of livestock served:

3. Source of Water: Tributary of

4. Point of Diversion: County - See attachment

Table with 6 rows and 8 columns: Lot, Block, 1/4, 1/4, 1/4, Section, T, R

Subdivision:

[ ] Replaces claimed information [ ] Supplements claimed information [ ] Addendum included

Please attach a map showing all points of diversion for this water right.

5. Means of Diversion: [ ] Well [ ] Instream Use [ ] Dam [ ] Headgate [ ] Pump: Capacity - gpm [ ] Other -

6. Means of Conveyance: [ ] Ditch [ ] Pipeline [ ] Instream Use [ ] Other -

40 M 164814-00

Exhibit 32

Place of Use: County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

\_\_\_\_\_ Total Acres. Subdivision - \_\_\_\_\_

- Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_  cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  
 Filed Appropriation Right  
 Use Right

Please attach proof of priority date or type of right.

13. Reasons for Amendment: Water may be diverted in year-round  
Water may be diverted out year-round

14. Comments: Valid priority date precedes passage of  
WATER USERS ACT

15. Notarized Statement Signed by Owner:  See attachment  
 I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Maria Kavan Feb 12, 2008  
 Signature Date  
Retaining all rights without prejudice  
Maria Kavan 2-12-08  
 Signature Date  
Retaining all rights without prejudice

STATE OF MONTANA  
 County of Phillips

Subscribed and sworn before me this 12 day of February, 2008.

Marilyn M. Taylor  
 Notary Public for the State of Montana

Marilyn M. Taylor  
 Notary's Printed Name

Residing at: Malta, Montana  
 My commission expires: May 1, 2008



Exhibit 33

**AMENDMENT  
TO STATEMENT OF CLAIM**

*Priority date precedes passage of Vested Water Rights  
of Water Users Act*

Claim Nos.: 40 M-164815-00

Owner(s): Ron Korman & Maxine Korman

I make the following amendment(s) to the above statement of claim(s):

*(Complete only those sections that require amendment.)*

1. Owner of Water Right: Korman Ron D  See attachment  
(last, first, middle initial)

Co-owner or Other Interested Owner: Korman Maxine E  
(last, first, middle initial)

Address box 162

City, State, Zip Code Hinsdale Montana 59241

Home Phone No. (406) 648-5536 Business Phone No. ( " ) " "

2. Purpose (use): \_\_\_\_\_

- a. If irrigation, method of irrigation use  Sprinkler  Flood  Water spreading
- Subirrigation  Natural Overflow

b. If domestic, number of households served: \_\_\_\_\_

c. If stock, total number and type of livestock served: \_\_\_\_\_

3. Source of Water: \_\_\_\_\_ Tributary of \_\_\_\_\_

4. Point of Diversion: County - \_\_\_\_\_  See attachment

_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

Subdivision: \_\_\_\_\_

- Replaces claimed information
- Supplements claimed information
- Addendum included

**Please attach a map showing all points of diversion for this water right.**

5. Means of Diversion:  Well  Instream Use  Dam  
 Headgate  Pump: Capacity - \_\_\_\_\_ gpm  
 Other - \_\_\_\_\_

6. Means of Conveyance:  Ditch  Pipeline  Instream Use  
 Other - \_\_\_\_\_

40 M - 164815 - 00

7. Place of Use: County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

\_\_\_\_\_ Total Acres. Subdivision - \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_

cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  
 Filled Appropriation Right  
 Use Right

Please attach proof of priority date or type of right.

13. Reasons for Amendment: Water may be diverted in year-round  
Water may be diverted but year-round

14. Comments: Valid priority date precedes passage of  
WATER USERS ACT

15. Notarized Statement Signed by Owner:  See attachment  
 I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Maria Korman Feb 12, 2008  
 Signature Date  
Retaining all rights without prejudice

Don Korman 2-12-08  
 Signature Date  
Retaining all right without prejudice

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008



Merilyn M. Taylor  
 Notary Public for the State of Montana

Merilyn M. Taylor  
 Notary's Printed Name

Residing at: Montana  
 My commission expires: May 1, 2008

Exhibit 34

**AMENDMENT  
TO STATEMENT OF CLAIM**

*Priority date precedes passage of WATER USERS Act*

Claim Nos.: 40 M 16 4816

Owner(s): Ron Norman & Maxine Norman

I make the following amendment(s) to the above statement of claim(s):

*(Complete only those sections that require amendment.)*

1. Owner of Water Right: Norman Ron D  See attachment  
(last, first, middle initial)

Co-owner or Other Interested Owner: Norman Maxine E  
(last, first, middle initial)

Address box 162

City, State, Zip Code Hinsdale Montana 59291

Home Phone No. (406) 648-5536 Business Phone No. ( )

2. Purpose (use): \_\_\_\_\_

a. If irrigation, method of irrigation use  Sprinkler  Flood  Water spreading  
 Subirrigation  Natural Overflow

b. If domestic, number of households served: \_\_\_\_\_

c. If stock, total number and type of livestock served: \_\_\_\_\_

3. Source of Water: \_\_\_\_\_ Tributary of \_\_\_\_\_

4. Point of Diversion: County - \_\_\_\_\_  See attachment

____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section _____	T _____	R _____
____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section _____	T _____	R _____
____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section _____	T _____	R _____
____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section _____	T _____	R _____
____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section _____	T _____	R _____
____ Lot	____ Block	____ ¼	____ ¼	____ ¼	Section _____	T _____	R _____

Subdivision: \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

**Please attach a map showing all points of diversion for this water right.**

5. Means of Diversion:  Well  Instream Use  Dam  
 Headgate  Pump: Capacity - gpm  
 Other - \_\_\_\_\_

6. Means of Conveyance:  Ditch  Pipeline  Instream Use  
 Other - \_\_\_\_\_

40 M 164816

Exhibit 34

Place of Use: County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

\_\_\_\_\_ Total Acres. Subdivision - \_\_\_\_\_

- Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_  cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  
 Filed Appropriation Right  
 Use Right

Please attach proof of priority date or type of right.

13. Reasons for Amendment: WATER MAY BE DIVERTED IN YEAR-ROUND.  
Water may be diverted out year-round

14. Comments: Valid priority date precedes passage of  
WATER USERS ACT

15. Notarized Statement Signed by Owner:  See attachment  
 I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Maria Korman Feb 12, 2008  
 Signature Date  
Retaining all rights without prejudice  
Korn Korman 2-12-08  
 Signature Date  
Retaining all rights without prejudice

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008



Marilyn M. Taylor  
 Notary Public for the State of Montana  
Marilyn M. Taylor  
 Notary's Printed Name  
 Residing at: Melita, Montana  
 My commission expires: May 1, 2008

Exhibit 35

AMENDMENT TO STATEMENT OF CLAIM of VESTED WATER RIGHT  
Priority date precedes passage of WATER USERS ACT

40 M-W 164817-00

Ron Korman + Maxine Korman

the following amendment(s) to the above statement of claim(s):

(Complete only those sections that require amendment.)

Owner of Water Right: Korman Ron D (last, first, middle initial) [ ] See attachment

Co-owner or Other Interested Owner: Korman Maxine E (last, first, middle initial)

Address box 162

City State, Zip Code Hinsdale, Montana 59241

Home Phone No. (406) 648-5536 Business Phone No. (406) 648-5536

2. Purpose (use):

a. If irrigation, method of irrigation use [ ] Sprinkler [ ] Flood [ ] Water spreading [ ] Subirrigation [ ] Natural Overflow

b. If domestic, number of households served: on E

c. If stock, total number and type of livestock served: number varies, horses, cattle sheep

3. Source of Water: Tributary of

4. Point of Diversion: County - [ ] See attachment

Table with 6 rows and 8 columns: Lot, Block, 1/4, 1/4, 1/4, Section, T, R

Subdivision:

[ ] Replaces claimed information [ ] Supplements claimed information [ ] Addendum included

Please attach a map showing all points of diversion for this water right.

5. Means of Diversion: [ ] Well [ ] Instream Use [ ] Dam [ ] Headgate [ ] Pump: Capacity - gpm [ ] Other -

6. Means of Conveyance: [ ] Ditch [ ] Pipeline [ ] Instream Use [ ] Other -

7. **Place of Use:** County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

\_\_\_\_\_ **Total Acres.** Subdivision - \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

*Please attach map showing entire place of use for this water right*

8. **Flow Rate Claimed:** \_\_\_\_\_

cubic feet per second  
 gallons per minute  
 miner's inches

9. **Volume Claimed:** \_\_\_\_\_ acre-feet per year

10. **Period(s) of Use:** \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. **Priority Date: (date of first use) -** \_\_\_\_\_  
 (Hour Month/Day/Year)

12. **Type of Historical Right:**  Decreed Right  
 Filed Appropriation Right  
 Use Right

**Please attach proof of priority date or type of right.**

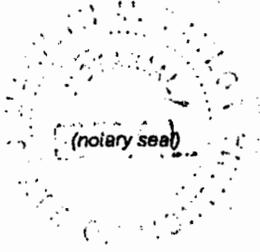
13. **Reasons for Amendment:** *The amendment we are correcting was not done by us + we did not authorize it*

14. **Comments:** *The original priority date is the valid priority date and precedes passage of Water Users Act*

15. **Notarized Statement Signed by Owner:**  See attachment  
 I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

*Mike Horn* Feb 12, 2008  
 Signature Retaining all rights without prejudice Date  
*Don Horn* 2-12-08  
 Signature Retaining all rights without prejudice Date

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008



*Marilyn M. Taylor*  
 Notary Public for the State of Montana  
 Marilyn M. Taylor  
 Notary's Printed Name  
 Residing at: Malta, Montana  
 My commission expires: May 1, 2008

Exhibit 35

7. Place of Use: County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

\_\_\_\_\_ Total Acres. Subdivision - \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_

cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  
 Filed Appropriation Right  
 Use Right

Please attach proof of priority date or type of right.

13. Reasons for Amendment: The amendment we are correcting was not done by us + we did not authorize it

14. Comments: The original priority date is the valid priority date and PRECEDES passage of Water Users Act

15. Notarized Statement Signed by Owner:  See attachment

I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Mike Hoern Feb 12, 2008  
 Signature Retaining all rights without prejudice

Don Harmon 2-12-08  
 Date Retaining all rights without prejudice

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008



Marilyn M. Taylor  
 Notary Public for the State of Montana

Marilyn M. Taylor  
 Notary's Printed Name

Residing at: Malta, Montana  
 My commission expires: May 1, 2008

Exhibit 36

**AMENDMENT  
TO STATEMENT OF CLAIM**

*Priority date precedes passage of Water Users Act*

Claim Nos.: 40 M 164818-00

Owner(s): Ron Norman + Maxine Norman

I make the following amendment(s) to the above statement of claim(s):

*(Complete only those sections that require amendment.)*

1. Owner of Water Right: \_\_\_\_\_  See attachment

(last, first, middle initial)

Co-owner or Other  
Interested Owner: \_\_\_\_\_

(last, first, middle initial)

Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Home Phone No. (\_\_\_\_) \_\_\_\_\_ Business Phone No. (\_\_\_\_) \_\_\_\_\_

2. Purpose (use): \_\_\_\_\_

a. If irrigation, method of irrigation use  Sprinkler  Flood  Water spreading  
 Subirrigation  Natural Overflow

b. If domestic, number of households served: \_\_\_\_\_

c. If stock, total number and type of livestock served: \_\_\_\_\_

3. Source of Water: \_\_\_\_\_ Tributary of \_\_\_\_\_

4. Point of Diversion: County - \_\_\_\_\_  See attachment

_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____
_____ Lot	_____ Block	_____ ¼	_____ ¼	_____ ¼	Section _____	T _____	R _____

Subdivision: \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

**Please attach a map showing all points of diversion for this water right.**

5. Means of Diversion:  Well  Instream Use  Dam  
 Headgate  Pump: Capacity - \_\_\_\_\_ gpm  
 Other - \_\_\_\_\_

6. Means of Conveyance:  Ditch  Pipeline  Instream Use  
 Other - \_\_\_\_\_

40 M 164818-00

Exhibit 36

Place of Use: County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

Total Acres. Subdivision - \_\_\_\_\_

- Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_  cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  Filed Appropriation Right  Use Right

Please attach proof of priority date or type of right.

13. Reasons for Amendment: Water may be diverted in year-round  
Water may be diverted out year-round

14. Comments: Valid priority date precedes passage of WATER  
USERS ACT

15. Notarized Statement Signed by Owner:  See attachment

I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Maria Norman Feb 12, 2008  
 Signature Date  
Retaining all rights without prejudice

Maria Norman 2-12-08  
 Signature Date  
Retaining all rights without prejudice

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008

Marilyn M. Taylor  
 Notary Public for the State of Montana

Marilyn M. Taylor  
 Notary's Printed Name

Residing at: Malta, Montana  
 My commission expires: May 1, 2008



Exhibit 37

### AMENDMENT TO STATEMENT OF CLAIM of Vested Water Right

Priority date precedes passage of Water Users Act

Claim Nos.: 40 m- 164821-00

Owner(s): Ron Korman & Maxine Korman

I make the following amendment(s) to the above statement of claim(s):

(Complete only those sections that require amendment.)

1. Owner of Water Right: Korman Ron  See attachment  
(last, first, middle initial)

Co-owner or Other Interested Owner: Korman Maxine E  
(last, first, middle initial)

Address box 162

City, State, Zip Code Minsdale Montana 59241

Home Phone No. (406) 648-5536 Business Phone No. ( ) "

2. Purpose (use): \_\_\_\_\_

a. If irrigation, method of irrigation use  Sprinkler  Flood  Water spreading  
 Subirrigation  Natural Overflow

b. If domestic, number of households served: \_\_\_\_\_

c. If stock, total number and type of livestock served: \_\_\_\_\_

3. Source of Water: \_\_\_\_\_ Tributary of \_\_\_\_\_

4. Point of Diversion: County - \_\_\_\_\_  See attachment

____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____

Subdivision: \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

Please attach a map showing all points of diversion for this water right.

5. Means of Diversion:  Well  Instream Use  Dam  
 Headgate  Pump: Capacity \_\_\_\_\_ gpm  
 Other - \_\_\_\_\_

6. Means of Conveyance:  Ditch  Pipeline  Instream Use  
 Other - \_\_\_\_\_

40 M - 164821-00

Exhibit 37

7. Place of Use: County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

\_\_\_\_\_ Total Acres. Subdivision - \_\_\_\_\_

- Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_  cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  
 Filed Appropriation Right  
 Use Right

Please attach proof of  
priority date or type of right.

13. Reasons for Amendment: water may be diverted in year-round  
Water may be diverted out year-round

14. Comments: Valid priority date precedes passage of  
WATER USERS ACT

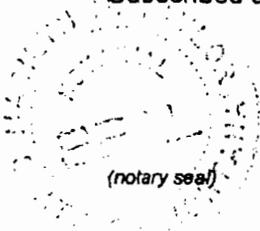
15. Notarized Statement Signed by Owner:  See attachment

I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Maria Louisa Feb 2, 2008  
 Signature \_\_\_\_\_ Date \_\_\_\_\_  
Retaining all rights without prejudice

Don Korman 2-12-08  
 Signature \_\_\_\_\_ Date \_\_\_\_\_  
Retaining all rights without prejudice

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008



Marilyn M Taylor  
 Notary Public for the State of Montana

Marilyn M Taylor  
 Notary's Printed Name

Residing at: Malta Montana  
 My commission expires: May 1, 2008

Exhibit 38

AMENDMENT of vested Water Right  
TO STATEMENT OF CLAIM

Priority date precedes passage of Water Users Act  
Claim Nos.: 40 m 164822-00

Owner(s): Ron Norman & Maxine Norman

I make the following amendment(s) to the above statement of claim(s):

(Complete only those sections that require amendment.)

1. Owner of Water Right: Norman Ron D  See attachment  
(last, first, middle initial)

Co-owner or Other Interested Owner: Norman Maxine E  
(last, first, middle initial)

Address box 162

City, State, Zip Code Minsdale Montana 59241

Home Phone No. (406) 648-5536 Business Phone No. ( " ) "

2. Purpose (use): \_\_\_\_\_

a. If irrigation, method of irrigation use  Sprinkler  Flood  Water spreading  
 Subirrigation  Natural Overflow

b. If domestic, number of households served: \_\_\_\_\_

c. If stock, total number and type of livestock served: \_\_\_\_\_

3. Source of Water: \_\_\_\_\_ Tributary of \_\_\_\_\_

4. Point of Diversion: County - \_\_\_\_\_  See attachment

____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section	T	R
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section	T	R
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section	T	R
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section	T	R
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section	T	R
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section	T	R

Subdivision: \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

Please attach a map showing all points of diversion for this water right.

5. Means of Diversion:  Well  Instream Use  Dam  
 Headgate  Pump: Capacity - gpm  
 Other - \_\_\_\_\_

6. Means of Conveyance:  Ditch  Pipeline  Instream Use  
 Other - \_\_\_\_\_

Exhibit 38

40 M 164822-00

7. Place of Use: County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

\_\_\_\_\_ Total Acres. Subdivision - \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_  cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  Filed Appropriation Right  Use Right

Please attach proof of priority date or type of right.

13. Reasons for Amendment: water may be diverted in year-round.  
Water may be diverted out year-round

14. Comments: Valid priority date precedes passage of WATER USERS ACT

15. Notarized Statement Signed by Owner:  See attachment  
 I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Maria - Norman - Feb-12-2008  
 Signature \_\_\_\_\_ Date \_\_\_\_\_  
Retaining all rights without prejudice  
Don Karkman 2-12-08  
 Signature \_\_\_\_\_ Date \_\_\_\_\_  
Retaining all rights without prejudice

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008

Marilyn M. Taylor  
 Notary Public for the State of Montana  
Marilyn M. Taylor  
 Notary's Printed Name  
 Residing at: Matta, Montana  
 My commission expires: May 1, 2008

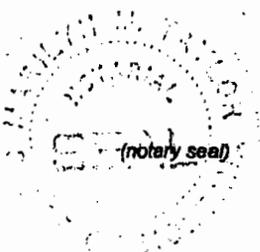


Exhibit 39

AMENDMENT

Priority date precedes passage of Water Users Act TO STATEMENT OF CLAIM of Vested Water Right

Claim Nos.: 40 M 16 4823-00

Owner(s): Ron Korman & Maxine Korman

I make the following amendment(s) to the above statement of claim(s):

(Complete only those sections that require amendment.)

1. Owner of Water Right: Korman Ron D (last, first, middle initial) [ ] See attachment

Co-owner or Other Interested Owner: Korman Maxine E (last, first, middle initial)

Address box 162

City, State, Zip Code Hinsdale Montana

Home Phone No. (406) 648-5536 Business Phone No. ( ) "

2. Purpose (use):

a. If irrigation, method of irrigation use [ ] Sprinkler [ ] Flood [ ] Water spreading [ ] Subirrigation [ ] Natural Overflow

b. If domestic, number of households served:

c. If stock, total number and type of livestock served:

3. Source of Water: Tributary of

4. Point of Diversion: County - [ ] See attachment

Table with 6 rows and 8 columns: Lot, Block, 1/4, 1/4, 1/4, Section, T, R

Subdivision:

[ ] Replaces claimed information [ ] Supplements claimed information [ ] Addendum included

Please attach a map showing all points of diversion for this water right.

5. Means of Diversion: [ ] Well [ ] Instream Use [ ] Dam [ ] Headgate [ ] Pump: Capacity - gpm [ ] Other -

6. Means of Conveyance: [ ] Ditch [ ] Pipeline [ ] Instream Use [ ] Other -

40 M 164823-00

Exhibit 39

7. Place of Use: County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

Total Acres. Subdivision - \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_  cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  
 Filed Appropriation Right  
 Use Right

Please attach proof of priority date or type of right.

13. Reasons for Amendment: water may be diverted in year-round.  
Water may be diverted out year-round

14. Comments: Valid priority date precedes passage of  
WATER USERS ACT

15. Notarized Statement Signed by Owner:  See attachment  
 I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Maria Norman Feb 12, 2008  
 Signature Date  
Retaining all rights without prejudice  
Don Keenan 2-12-08  
 Signature Date  
Retaining all rights without prejudice

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008



Marilyn M. Taylor  
 Notary Public for the State of Montana

Marilyn M. Taylor  
 Notary's Printed Name

Residing at: Malta, Montana  
 My commission expires: May 1, 2008

Exhibit 45

**AMENDMENT TO STATEMENT OF CLAIM of Vested WATER RIGHT**  
Priority date precedes passage of WATER USER ACT

Claim Nos.: 40 M W 164824-00

Owner(s): Ron Norman & Maxine Norman

make the following amendment(s) to the above statement of claim(s):

(Complete only those sections that require amendment.)

1. Owner of Water Right: Norman Ron D  See attachment  
(last, first, middle initial)

Co-owner or Other Interested Owner: Norman Maxine E  
(last, first, middle initial)

Address box 162

City, State, Zip Code Hinsdale Montana 59241

Home Phone No. (406) 648-5536 Business Phone No. (406) 648-5536

2. Purpose (use): \_\_\_\_\_

- a. If irrigation, method of irrigation use  Sprinkler  Flood  Water spreading  
 Subirrigation  Natural Overflow

b. If domestic, number of households served: one

c. If stock, total number and type of livestock served: number varies, horses, cattle, sheep

3. Source of Water: \_\_\_\_\_ Tributary of \_\_\_\_\_

4. Point of Diversion: County - \_\_\_\_\_  See attachment

____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____
____ Lot	____ Block	____ 1/4	____ 1/4	____ 1/4	Section _____	T _____	R _____

Subdivision: \_\_\_\_\_

- Replaces claimed information  Supplements claimed information  Addendum included

Please attach a map showing all points of diversion for this water right.

5. Means of Diversion:  Well  Instream Use  Dam  
 Headgate  Pump: Capacity - gpm  
 Other - \_\_\_\_\_

6. Means of Conveyance:  Ditch  Pipeline  Instream Use  
 Other - \_\_\_\_\_

7. Place of Use: County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

\_\_\_\_\_ Total Acres. Subdivision - \_\_\_\_\_

Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_

cubic feet per second  
 gallons per minute  
 miner's inches

9. Volume Claimed: \_\_\_\_\_ acre-feet per year

10. Period(s) of Use: \_\_\_\_\_  
 (Month/Day TO Month/Day)

11. Priority Date: (date of first use) - \_\_\_\_\_  
 (Hour Month/Day/Year)

12. Type of Historical Right:  Decreed Right  
 Filed Appropriation Right  
 Use Right

Please attach proof of priority date or type of right.

13. Reasons for Amendment: The amendment we are correcting was not done by us + we did not authorize it

14. Comments: The original priority date is the valid priority date and precedes passage of Water Users Act

15. Notarized Statement Signed by Owner:  See attachment  
 I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Maria Herman Feb 12, 2008  
 Signature Date  
Retaining all rights without prejudice  
Don Herman 2-12-08  
 Signature Date  
Retaining all right without prejudice

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008

(notary seal)

Marilyn M. Taylor  
 Notary Public for the State of Montana

Marilyn M. Taylor  
 Notary's Printed Name

Residing at: Malta, Montana

My commission expires: May 1, 2008

Exhibit 40

7. Place of Use: County - \_\_\_\_\_  See attachment

_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____
_____ acres	_____ Lot	_____ Block	_____ 1/4	_____ 1/4	_____ 1/4	Section _____	T _____	R _____

\_\_\_\_\_ Total Acres. Subdivision - \_\_\_\_\_

- Replaces claimed information  Supplements claimed information  Addendum included

Please attach map showing entire place of use for this water right

8. Flow Rate Claimed: \_\_\_\_\_

cubic feet per second  
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 (Hour Month/Day/Year)

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15. Notarized Statement Signed by Owner:  See attachment  
 I, having been duly sworn, depose and say that I, being of legal age and being the owner of this claim of existing water right know the contents of this amendment and that the matters and things stated there are true and correct. (All current owners of the right as listed in the DNRC centralized record system are required to sign.)

Maria Herrera February 2008  
 Signature Retaining all rights without prejudice  
Chris Keenan 2-12-08  
 Signature Date Retaining all right without prejudice

STATE OF MONTANA  
 County of Phillips  
 Subscribed and sworn before me this 12 day of February, 2008

Marilyn M. Taylor  
 Notary Public for the State of Montana

Marilyn M. Taylor  
 Notary's Printed Name

Residing at: Malta, Montana  
 My commission expires: May 1, 2008

STATE OF MONTANA }  
County of Valley } SS.

I hereby certify that the instrument to which this certificate is annexed is a true, complete and correct copy of the original on file in my office.

Witness My Hand seal of office this 6th day of March, 2008

Lynne H. Hunt  
County Clerk & Recorder

By Rene Clappitt Deputy