

ADJ



\*FILE\*



\*STATEMENT OF CLAIM\*



\*43D \*



\*30152599\*

Current File Location: **ADJUDICATION OFFICE**

As of : 12/27/2019

Status:

Box Bar Code:

File Bar Code:

7/2/2021



## DNRC OWNERSHIP UPDATE DIVIDED INTEREST

Complete one form for each water right that will be divided. Your water right will be divided into separate water rights based on the information provided.

Submit all three pages of this form with the filing fee; a deed, contract for deed, or other recorded document; a water right abstract; and a map.

Contact your local DNRC Water Resources Regional Office if you have any questions.

**Filing Fee \$50.00**

RECEIVED

DEC 27 2019

DNRC-WRD-BILLINGS

### FOR DEPARTMENT USE ONLY

Rec'd Date 12/27/2019  
 Rec'd By MB  
 Fee Rec'd \$ 100.00 Check No. 6839  
 Payor First Am Title Co - Red Lodge  
 Refund \$ \_\_\_\_\_ Date \_\_\_\_\_  
 Deposit Receipt # BLS2013424  
 OID # 21888 + 220419

*If all interested parties wish to split the water right, each must fill out and sign either part B or part C of this form. A water right can be split into several portions on one form for one \$50 filing fee. All interested parties must sign off on the split of water rights even if their portions are not split into individual rights.*

### PART A - GENERAL INFORMATION

- DATE OF LAND TRANSFER (SALE) \_\_\_\_\_
- WATER RIGHT BEING DIVIDED 43D 3992-00
- SELLER (Grantor) Ronnie L. Wright, Trustee of the Ronnie L. Wright Family Trust u/a/d May 29, 2001 of 819 Clear Creek Rd. Roberts MT 59070,  
 MAILING ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
 PHONE (H) 406-445-2293 (C) 425-2500 EMAIL \_\_\_\_\_
- BUYER (Grantee) Heaven Ranch LLC, 88 Airstrip Drive, Mill Hall PA 17751  
 MAILING ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
 PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_
- HOW IS THIS WATER RIGHT BEING DIVIDED? Please check only one.
  - ☒ The water right is being divided as specifically identified in a deed, contract for deed, or other recorded document. (Attach a copy and underline the divided interest information.)
  - ☐ The water right is being divided proportionately between the buyer and seller based on the place of use described in the water right. (Attach a copy of the deed, contract for deed, or other recorded document.)
- WATER RIGHT ABSTRACT
  - ☒ A current DNRC general abstract of the water right being divided must be submitted. To receive DNRC generated water right abstracts, query the water right at the following web address: <http://www.nris.mt.gov/dnrc/waterrights/default.aspx> or contact the regional office serving your area.
- MAP
  - ☒ A map must be provided. An aerial photo is preferred. You may also use a scaled map, county plat or quad map showing township and range, section corners, and a north arrow. **The following elements must be identified on the map:**
    - The place of use the seller is retaining;
    - The place of use the buyer is receiving;
    - Point(s) of diversion; and
    - The location of any irrigated acres.

### IMPORTANT NOTES

- If you want to change or add a point of diversion, place of use, place of storage, or purpose of use of a water right you must first file a change application with the DNRC.
- The combined portions of a divided water right cannot exceed the total flow rate, volume, or period of diversion of the original right.
- The DNRC has no jurisdiction concerning easement, right-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.
- There may be ongoing court action regarding this water right and terms and conditions applicable to the exercise of the divided right. The buyer should be familiar with all aspects of the right received.



## PART B – SELLER'S PORTION

(Attach additional sheets if necessary)

1. SELLER'S NAME Ronnie L. Wright, Trustee of the Ronnie L. Wright Family Trust u/a/d May 29, 2001

### 2. PORTION OF WATER RIGHT RETAINED

If specifically identified in the attached recorded document, what flow rate will be retained by the Seller? .38 ☐ gpm ☒ cfs

Unless specifically divided in the attached recorded document, both the Seller's and Buyer's water right will retain the full flow rate and the use of the flow rate must be shared and/or alternated. Attach an additional sheet explaining how this will be done such that, in combination, the flow rate of the original water right will not be exceeded.

Purpose of Use \_\_\_\_\_ Volume (acre-feet) \_\_\_\_\_  
Purpose of Use \_\_\_\_\_ Volume (acre-feet) \_\_\_\_\_

### 3. POINT OF DIVERSION (describe the location to the nearest 10 acres, three quarter sections)

SE 1/4 NW 1/4 NE 1/4 Sec 2 TWP 7 ☐ N ☒ S RGE 20 ☒ E ☐ W

Lot/Tract \_\_\_\_\_ Block \_\_\_\_\_ Subdivision Name \_\_\_\_\_

COS \_\_\_\_\_ Gov't Lot \_\_\_\_\_ County \_\_\_\_\_

1/4 1/4 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W

Lot/Tract \_\_\_\_\_ Block \_\_\_\_\_ Subdivision Name \_\_\_\_\_

COS \_\_\_\_\_ Gov't Lot \_\_\_\_\_ County \_\_\_\_\_

### 4. PLACE OF USE

Purpose of Use Irrigation RLW County Carbon  
\_\_\_\_\_ acres 1/4 1/4 SE 1/4 Sec 2 TWP 6 ☐ N ☒ S RGE 20 ☒ E ☐ W  
\_\_\_\_\_ acres 1/4 1/4 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W  
\_\_\_\_\_ acres 1/4 1/4 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W  
\_\_\_\_\_ acres 1/4 1/4 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W  
42.5 Total Acres

Lot/Tract \_\_\_\_\_ Block \_\_\_\_\_ Subdivision Name \_\_\_\_\_  
COS \_\_\_\_\_ Gov't Lot 1[20AC], 2[10AC], 3[12.5]  
Geocodes(s) 10-0446-02-1-04-01-0000 - Y 10-0446-02-1-05-01-0000 - Y 10-0446-02-4-01-01-0000 - Y

Purpose of Use Irrigation County Carbon  
\_\_\_\_\_ acres 1/4 1/4 1/4 Sec 1 TWP 6 ☐ N ☒ S RGE 20 ☒ E ☐ W  
\_\_\_\_\_ acres 1/4 1/4 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W  
\_\_\_\_\_ acres 1/4 1/4 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W  
\_\_\_\_\_ acres 1/4 1/4 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W  
15.10 RLW Total Acres

Lot/Tract \_\_\_\_\_ Block \_\_\_\_\_ Subdivision Name RLW  
COS \_\_\_\_\_ Gov't Lot 5.15 4 (10AC)  
Geocodes(s) 10-0446-02-1-04-01-0000 - Y 10-0446-02-1-05-01-0000 - Y 10-0446-02-4-01-01-0000 - Y

### 5. SIGNATURE

I DECLARE UNDER PENALTY OF PERJURY AND UNDER THE LAWS OF THE STATE OF MONTANA THAT THE FOREGOING IS TRUE AND CORRECT.

Seller Signature: Ronnie L. Wright

Date: 12-5-19

Seller Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## PART C - BUYER'S PORTION

(Attach additional sheets if necessary. If more than one buyer, add sheets showing each buyer's portion.)

1. **BUYER'S NAME** Heaven Ranch LLC, 88 Airstrip Drive, Mill Hall PA 17751

### 2. PORTION OF WATER RIGHT ACQUIRED

Flow Rate (gpm/cfs) 1.25 (Only if specifically identified in the attached recorded document—see Part B, Number 2)

Purpose of Use Irrigation Volume (acre-feet) \_\_\_\_\_

Purpose of Use \_\_\_\_\_ Volume (acre-feet) \_\_\_\_\_

### 3. POINT OF DIVERSION (describe the location to the nearest 10 acres, three quarter sections)

SE 1/4 NW 1/4 NE 1/4 Sec 2 TWP 7 ☐ N ☒ S RGE 20 ☒ E ☐ W

Lot/Tract \_\_\_\_\_ Block \_\_\_\_\_ Subdivision Name \_\_\_\_\_

COS \_\_\_\_\_ Gov't Lot \_\_\_\_\_ County CARBON

\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W

Lot/Tract \_\_\_\_\_ Block \_\_\_\_\_ Subdivision Name \_\_\_\_\_

COS \_\_\_\_\_ Gov't Lot \_\_\_\_\_ County \_\_\_\_\_

### 4. PLACE OF USE

Purpose of Use Irrigation County Carbon

58 acres \_\_\_\_ 1/4 \_\_\_\_ 1/4 SE 1/4 Sec 2 TWP 6 ☐ N ☒ S RGE 20 ☒ E ☐ W

\_\_\_\_ acres \_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W

\_\_\_\_ acres \_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W

\_\_\_\_ acres \_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W

126.5 **Total Acres**

Lot/Tract \_\_\_\_\_ Block \_\_\_\_\_ Subdivision Name \_\_\_\_\_

COS \_\_\_\_\_ Gov't Lot AND GOVT. LOTS 6[8.5AC], 7[8.5], 8[27], 9[19], 10[5.5].

Geocodes(s) 10-0446-02-1-04-01-0000 - Y 10-0446-02-1-05-01-0000 - Y 10-0446-02-4-01-01-0000 - Y

Purpose of Use \_\_\_\_\_ County \_\_\_\_\_

\_\_\_\_ acres \_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W

\_\_\_\_ acres \_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W

\_\_\_\_ acres \_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W

\_\_\_\_ acres \_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Sec \_\_\_\_\_ TWP \_\_\_\_\_ ☐ N ☐ S RGE \_\_\_\_\_ ☐ E ☐ W

15 **Total Acres**

Lot/Tract \_\_\_\_\_ Block \_\_\_\_\_ Subdivision Name \_\_\_\_\_

COS \_\_\_\_\_ Gov't Lot 5 [15AC]

Geocodes(s) 10-0446-02-1-04-01-0000 - Y 10-0446-02-1-05-01-0000 - Y 10-0446-02-4-01-01-0000 - Y

### 5. SIGNATURE

I DECLARE UNDER PENALTY OF PERJURY AND UNDER THE LAWS OF THE STATE OF MONTANA THAT THE FOREGOING IS TRUE AND CORRECT.

Buyer Signature: [Signature]

Buyer Signature: [Signature]

Date: 12-5-19

Date: 12-5-19



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

## GENERAL ABSTRACT

Water Right Number: 43D 3992-00 STATEMENT OF CLAIM  
Version: 4 -- REEXAMINED

Version Status: ACTIVE

Owners: WRIGHT, RONNIE L FAMILY TRUST  
819 CLEAR CREEK RD  
ROBERTS, MT 59070

Priority Date: JULY 7, 1896

Enforceable Priority Date: JULY 7, 1896

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1.63 CFS

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

Climatic Area: 3 - MODERATE

Maximum Acres: 194.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	2	7S	20E	CARBON

Period of Diversion: APRIL 15 TO NOVEMBER 19

Diversion Means: HEADGATE

Ditch Name: CONSOLIDATED DITCH

THIS ROCK CREEK WATER RIGHT SOMETIMES USES DRY CREEK AS A NATURAL  
CARRIER. WHEN IT DOES, WATER IS DIVERTED FROM THE  
CONSOLIDATED/HUNTER-NORTHY DITCH INTO DRY CREEK IN THE NENWNE SEC  
22, T6S, R20E AND DIVERTED FROM DRY CREEK BY A DIVERSION IN THE SWSESE  
SEC 11, T6S, R20E.

Period of Use: APRIL 15 to NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00	4		1	6S	20E	CARBON
2	15.00	5		1	6S	20E	CARBON
3	58.00		SE	2	6S	20E	CARBON
4	20.00	1		2	6S	20E	CARBON
5	10.00	2		2	6S	20E	CARBON
6	12.50	3		2	6S	20E	CARBON
7	8.50	6		2	6S	20E	CARBON
8	8.50	7		2	6S	20E	CARBON
9	27.00	8		2	6S	20E	CARBON
10	19.00	9		2	6S	20E	CARBON
11	5.50	10		2	6S	20E	CARBON
Total:	194.00						

Geocodes/Valid: 10-0446-02-1-04-01-0000 - Y 10-0446-02-1-05-01-0000 - Y  
10-0446-02-4-01-01-0000 - Y

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE  
RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE  
ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE  
OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT  
EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

3992-00 3993-00

**Remarks:**

THE MEANS OF DIVERSION WAS AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

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

SPLIT CLAIM NO. 43D 30043248 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 11991 RECEIVED 09/02/2003.

OWNERSHIP UPDATE TYPE 608 # 11990 RECEIVED 09/02/2003.

OWNERSHIP UPDATE TYPE 608 # 22485 RECEIVED 05/06/2005.

OWNERSHIP UPDATE TYPE 608 # 67063 RECEIVED 06/19/2009.

OWNERSHIP UPDATE TYPE 608 # 67064 RECEIVED 06/19/2009.

OWNERSHIP UPDATE TYPE 608 # 67065 RECEIVED 06/19/2009.

Return to:  
Heaven Ranch LLC,  
88 Airstrip Drive,  
Mill Hall PA 17751

851057

Doc # 379844 Fee: \$21.00

Warranty Deed

Christine L. Stoyall, Clerk & Recorder, Carbon County, MT  
Recorded 1/9/2020 At 8:26 AM

By

**WARRANTY DEED**  
**(Recorded to add Water Rights)**

FOR A VALUABLE CONSIDERATION, the receipt of which is acknowledged, the undersigned, Ronnie L. Wright, Trustee of the Ronnie L. Wright Family Trust u/a/d May 29, 2001 of 819 Clear Creek Rd. Roberts MT 59070, hereby grants unto:

Heaven Ranch LLC, 88 Airstrip Drive, Mill Hall PA 17751, the following real property in Carbon County, Montana, described as follows:

Section 2: Lots 6, 7, 8, 9, 10 and 11, and the NE1/4SW1/4; and the SE1/4, Township 6 South, Range 20 East of the Principal Montana Meridian, in Carbon County, Montana;

and

Section 1, Lot 5, Township 6 South, Range 20 East of the Principal Montana Meridian, in Carbon County, Montana;

Along with appurtenant water rights as follows:

Grantor coveys to Grantee fifty (50) miners inches of water right 43D 3992-00 and retains the remainder of said water right;

and

Grantor retains water right 43D 3993-00

Further granting to Grantee an Easement as follows:

A limited scope access easement for the benefit of above described land as dominant estate and burdening the following land as servient estate as follows: A thirty (30) foot wide

**RECEIVED**

**JUN 28 2021**

**DNRC WATER RESOURCES**

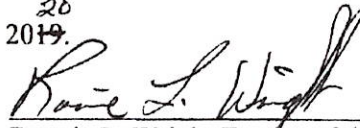
access right of way along the east boundary fence of Section 1, Lot 4, Township 6 South, Range 20 East of the Principal Montana Meridian, in Carbon County, Montana and down the hill to Wright Road. The scope of said easement shall be for personal use only by the Grantee, is limited to travel by Horses and Carriages and foot only. Commercial and or motorized vehicles are prohibited from using the easement. Any changes or improvements to the easement shall be approved in writing in advance by the owner of the servient estate. This grant of Easement shall run with the land and shall be binding on and shall inure to the benefit of the parties, their heirs, successors and assigns forever;

to have and to hold unto the Grantee, and to its heirs and assigns, forever, SUBJECT TO THE FOLLOWING:

- (a) All reservations and exceptions in patents from the United States and the State of Montana;
- (b) Visible easements, easements and restrictions of record and rights-of-way;
- (c) All building, use, zoning, sanitary and environmental restrictions;
- (d) All outstanding mineral interests of record;
- (e) Taxes and assessments for 2019 and thereafter;

Except for the items stated in paragraphs (a) to (e) inclusive, this deed is given with the usual covenants expressed in Section 30-11-110 of the Montana Code.

DATED this 8 day of JAN., 20<sup>20</sup>~~19~~.

  
 Ronnie L. Wright Trustee of the  
 Ronnie L. Wright Family Trust u/a/d  
 May 29, 2001

STATE OF Montana )  
 )ss.  
 COUNTY OF Carbon )

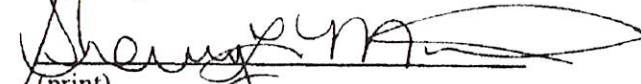
On this 8 day of Jan, 20<sup>20</sup>~~19~~, before me, the undersigned, a Notary Public for the State of Montana personally appeared Ronnie L. Wright, Trustee of the Ronnie L. Wright Family Trust u/a/d May 29, 2001, known to me to be the person(s) who executed the within instrument, and acknowledged to me that he / she / they executed the same.

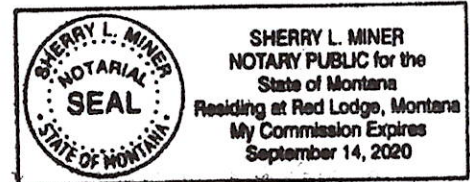


WARRANTY DEED

Page 3

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

  
(print)  
Sherry L. Miner  
Notary Public for the State of Montana  
residing at Red Lodge MT  
My commission expires 9/14/2020



Return to:  
Heaven Ranch LLC,  
88 Airstrip Drive,  
Mill Hall PA 17751  
851057

Doc # 379548 Fee: \$21.00

Warranty Deed

Christine L. Stovall, Clerk & Recorder, Carbon County, MT  
Recorded 12/11/2019 At 4:50 PM

By Fuller

### WARRANTY DEED

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JUN 28 2021

DNRC WATER RESOURCES