

NA



\*FILE\*



\*GROUND WATER CERTIFICATE\*



\*43Q\*



\*34451\*



\*00\*

Current File Location: **NEW STORAGE**

As of : 1/1/1999

Status: **IN**

Box Bar Code: **95013**

File Bar Code: **33647**

5/15/2014

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

# Certificate of Water Right

THIS CERTIFICATE OF WATER RIGHT IS HEREBY ISSUED TO:

JOYCE J SALVESON  
833 LAKE ELMO RD  
BILLINGS, MT 59101

UPON FINDING THAT THE REQUIREMENTS OF SECTION 85-2-301 MCA  
HAVE BEEN MET.

CERTIFICATE OF WATER RIGHT NUMBER: 34451-G430

PRIORITY DATE: JUNE 24, 1981 AT 10:15 A.M.

TOTAL AMOUNT: 10.00 GPM UP TO 0.22 AC-FT.

DIVERSION POINT: SWNE SEC. 32 TWP. 02N RGE. 27E YELLOWSTONE CO

SOURCE: GROUNDWATER WELL

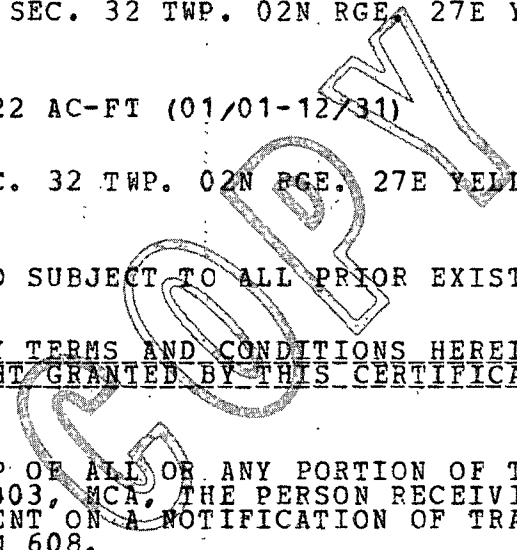
USE: 10.00 GPM UP TO .22 AC-FT (01/01-12/31)  
FOR STOCK

PLACE OF USE: SWNE SEC. 32 TWP. 02N RGE. 27E YELLOWSTONE CO  
FOR STOCK

**\*\* PRIOR RIGHTS:**  
THIS CERTIFICATE IS ISSUED SUBJECT TO ALL PRIOR EXISTING WATER RIGHTS  
IN THE SOURCE OF SUPPLY.

FAILURE TO COMPLY WITH ANY TERMS AND CONDITIONS HEREIN MAY RESULT IN  
THE LOSS OF THE WATER RIGHT GRANTED BY THIS CERTIFICATE.

**\*\* TRANSFER TO NEW OWNER:**  
UPON A CHANGE IN OWNERSHIP OF ALL OR ANY PORTION OF THIS CERTIFICATE,  
PURSUANT TO SECTION 85-2-403, MCA, THE PERSON RECEIVING THE INTEREST  
SHALL NOTIFY THIS DEPARTMENT ON A NOTIFICATION OF TRANSFER OF APPRO-  
PRIATION WATER RIGHT, FORM 608.



*Patricia Cronquist*  
WITNESS

*Rita Nason*  
WATER RIGHTS ANALYST: RITA NASON

DATE: JULY 24, 1981 WATER RIGHTS BUREAU, WATER RESOURCES DIVISION

STATE OF MONTANA

(For County Use Only)

County of \_\_\_\_\_ } ss.

Filed for Record this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
at \_\_\_\_\_, and Recorded in \_\_\_\_\_  
\_\_\_\_\_ on Page \_\_\_\_\_  
of the Records of \_\_\_\_\_ County, State of Montana.

By \_\_\_\_\_ Deputy Clerk and Recorder

# NOTICE OF COMPLETION OF GROUND-WATER DEVELOPMENT

For ground-water developments with a maximum use  
less than 100 gpm

(Use Form 600, Application for Beneficial Water Use Permit  
for undeveloped springs or appropriations greater than 100 gpm)

### IMPORTANT

The right to the use of ground water is not automatic. Your  
priority will be determined by the date of filing this form;  
however, DO NOT SUBMIT THE FORM UNTIL THE DEVELOP-  
MENT IS COMPLETED, WITH PUMP OR OTHER MEANS OF  
WITHDRAWAL INSTALLED. Attach the \$5.00 filing fee, payable  
to the Department of Natural Resources and Conservation.

### FOR DEPARTMENT USE ONLY

Notice No. 34451  
Date Received 6-24, 19 81  
Time 10:15 (A.M.) P.M.  
Transmittal No. 03-091-01-01  
Fee Received \$ 5.00  
Received By [Signature]

(Please type or print in ink)

1. Name(s) Joyce J. Salveron  
Address 833 Lake Elm Rd  
City Billings State MT Zip 59101  
Home Phone No. 259-9985 Other Phone No. 252-0551

2. Source of Ground Water Supply  Well  Developed Spring (excavation performed)  
 Pit  Sump

3. Point of Withdrawal:

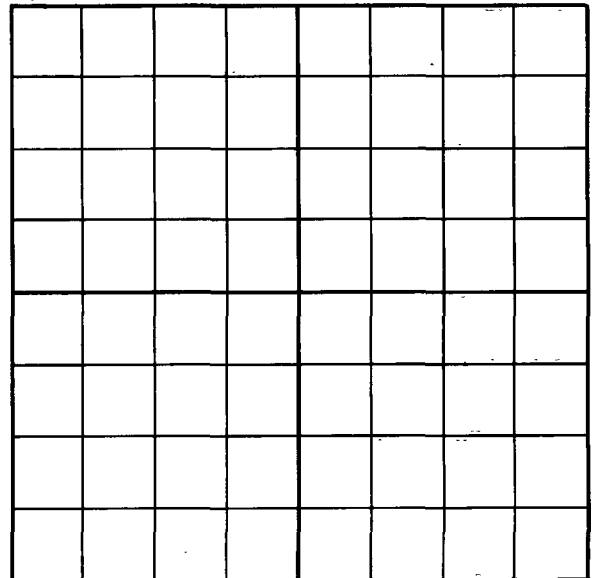
Lot \_\_\_\_\_, Block \_\_\_\_\_,  
Addition or  
Subdivision \_\_\_\_\_,

1/4 SW 1/4 NE 1/4 of Section 32,

Township 2 <sup>(N)</sup>/<sub>(S)</sub>, Range 27 <sup>(E)</sup>/<sub>(W)</sub>, M.P.M.,

County Yellowstone.

Indicate place of use and point of withdrawal on  
the map. Attach additional maps, aerial photos  
etc., if needed.



4. Place of Use:

Lot \_\_\_\_\_, Block \_\_\_\_\_,  
Addition or  
Subdivision \_\_\_\_\_,

1/4 SW 1/4 NE 1/4 of Section 32,

Township 2 <sup>(N)</sup>/<sub>(S)</sub>, Range 27 <sup>(E)</sup>/<sub>(W)</sub>, M.P.M.,

County Yellowstone.

NOTE: Your legal land description may be obtained from your deed, county assessor, or clerk and recorder.

MONTANA DEPARTMENT OF NATURAL RESOURCES & CONSERVATION

32 SOUTH EWING

HELENA, MONTANA 59601

449-3634

# DNRG

5. Amount of Water, use to which it has been applied, and period of use:

Total amount used: 10 gpm

Domestic (includes lawn and garden)

from \_\_\_\_\_ to \_\_\_\_\_, incl.  
(month/day) (month/day)

No. families to be supplied: \_\_\_\_\_

Stock from 1/1 to 12/31, incl.  
(month/day) (month/day)

Approximate maximum number and type of livestock watered: 10 head  
horses & cows

Irrigation from \_\_\_\_\_ to \_\_\_\_\_, incl.  
(month/day) (month/day)

Total number acres irrigated 10

Other from \_\_\_\_\_ to \_\_\_\_\_, incl.  
(month/day) (month/day)

\*Describe \_\_\_\_\_  
(industrial municipal recreation etc)

6. (a) Name and address of well driller or contractor: (if applicant or other please indicate)

Name "no well log available"

Address \_\_\_\_\_

(b) Maximum withdrawal \_\_\_\_\_ gpm as tested by driller.

(c) Date development begun UNKNOWN Date completed Post 1962  
(month/day/year) (month/day/year)

(d) Does this well replace an existing well?  Yes  No

7. Remarks: (Use this space for additional information, if needed, to describe development.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. THE APPROPRIATOR CERTIFIES THAT THE STATEMENTS APPEARING HEREIN ARE TO THE BEST OF HIS KNOWLEDGE TRUE AND CORRECT.

James J. Salveson  
(signature)

6/24/81  
(date)

\_\_\_\_\_  
(signature) (date)

\_\_\_\_\_  
(signature) (date)

Signature(s) of appropriator(s) must be exactly as in Item 1, page 1.  
If more than one appropriator is shown, all must sign.

# CERTIFICATE OF WATER RIGHT FORM

1 2 430
6 0
7 34451
13
15 01

NAME: 17 I 18 SALVESON JOYCE JT

ADDRESS: 62 833 LAKE ELMOR RD

2 2 BILLINGS
24 MT
26 59101

PRIORITY DATE: 31 1015 35 06 37 24 39 1981
 TOTAL RATE IN GPM: 43 1000
 TOTAL VOLUME: 48 22
 TOTAL ACRES: 53

— POINT OF DIVERSION —

58 SWNE
66 32
68 02N
71 27E
74 YE
76
85
88

SUBDIVISION NAME: 3 2

USE	PERIOD OF USE	LOTS	BLOCK	QUARTER SECTIONS	SECTION	TWP.	RGE.	CTY	VOLUME	POU = POD
54 ST	56 01011231	64	79	82	90	92	95	98	100 22	105 X
2	4	12	27	30	38	40	43	46	48	53
54	56	64	79	82	90	92	95	98	100	105
2	4	12	27	30	38	40	43	46	48	53
54	56	64	79	82	90	92	95	98	100	105
2	4	12	27	30	38	40	43	46	48	53
54	56	64	79	82	90	92	95	98	100	105
2	4	12	27	30	38	40	43	46	48	53
54	56	64	79	82	90	92	95	98	100	105
2	4	12	27	30	38	40	43	46	48	53

WELL DEPTH IN FEET..... 54

STATIC WATER LEVEL IN FEET..... 58

YIELD RATE IN GPM..... 62

TOTAL PUMP SIZE IN HORSEPOWER..... 66

LIMITING CONDITIONS..... 70 72 74

DIAMETER OF CASING IN INCHES..... 76

NUMBER OF HOUSEHOLDS..... 80

MEANS OF DIVERSION..... 82 WL

RELATED WR ID..... 84 88 89 95 97

# DNRC WATER RIGHT OWNERSHIP UPDATE

# FILED

GEO CODE

<b>PART 1 - SALE DATE</b>
11/29/00
Month/Day/Year

## SEE IMPORTANT INFORMATION ON THE BACK OF THIS FORM

### PART 2 - Grantor/Grantee - names must be entered exactly as they appear on the transfer of ownership

Seller - Enter grantor's complete name and mailing address, including city, state and ZIP.

RAY L. CUCANCIC and SHEILA C. CUCANCIC

3730 McGirl Road

Billings, Montana 59105

Daytime Phone #

Buyer - Enter grantee's complete name and assessment notice mailing address, including city, state and ZIP.

M. JAMES SCHANCK and LANDRA L. SCHANCK

3603 Drury Lane

Billings, Montana 59105

Daytime Phone #

### PART 3 - Description of Property - If description is too lengthy, please attach a separate page

Legal Description: \_\_\_\_\_ Attachment  XX

Add/Sub \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

County Yellowstone City/Town \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

BOX BAR CODE 011108  
FILE BAR CODE 00336647

### A. WATER RIGHT(S) TO UPDATE

List all water rights which need to have ownership updated. Attach a list if additional space is needed.  Attachment

- ▶ (W, U, A, B, or O) Statement of Claim No. \_\_\_\_\_
- ▶ (C) Certificate of Water Right No. 34451-6430 (see attached)
- ▶ (P) Permit to Appropriate Water No. \_\_\_\_\_
- ▶ (E) Exempt Existing Right No. \_\_\_\_\_
- ▶ (D) Powder River Basin Decreed Right No. \_\_\_\_\_
- ▶ Other \_\_\_\_\_

### B. SELLER (person relinquishing the water right): If all seller's signatures are not available, attach a copy of the recorded instrument showing conveyance of the property from the seller to the buyer. If the seller listed is not the person identified as the water right owner in the DNRC records, attach copies of the recorded documents showing chain of title including the legal description.

Yes  No  Did the buyer receive 100% of the seller's interest in the water rights shown above? If no, attach a map showing buyer's property.

Yes  No  If the sale is on a contract for deed, does the seller want to remain listed as an owner of the water right?

Seller Signature: \_\_\_\_\_ Date: 11/29/00

Seller Signature: Sheila C. Cucancic Date: 11-29-00

### C. FOR QUESTIONS or CLARIFICATION, WHO SHOULD THE DNRC CONTACT?

Name \_\_\_\_\_ Address \_\_\_\_\_ Phone # \_\_\_\_\_

### D. REMARKS

<b>FOR DEPARTMENT USE ONLY</b>			<b>WATER RIGHT TRANSFER CERTIFICATE</b>	
Fee Rec'd <u>\$25.00</u>	Check No. <u>109136</u>	Transmittal No. <u>03-020</u>	<b>RECEIVED</b>  DEC 20 2000  DEPT. OF NATURAL RESOURCES AND CONSERVATION BILLINGS OFFICE	
Payor <u>American Title &amp; Escrow</u>	Date _____			
Refund _____	Date _____			
Codes <u>12/28/00</u>	RO# <u>3</u>			
For Complete Information. See File <u>430-C034451</u>			Rec'd By <u>Jr</u>	

That part of the NE1/4 of Section 32, Township 2 North, Range 27 East, of the Principal Montana Meridian, in Yellowstone County, Montana, described as Tract 1, of Certificate of Survey No. 3044 on file in the office of the Clerk and Recorder of said County, under Document #3094940.





WARRANTY DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged on this 1st day of November, 1989, the undersigned, SHERI D. KUKOWSKI, a/k/a Sheri Kukowski, and DICK R. KUKOWSKI, wife and husband, of 9927 Cornier Rd. Blue Cr Rd Bldg, 3603 Downy Road Bldg MT 59105, hereby grant unto ROGER ALAN NIXON and PAULA Kay NIXON, husband and wife, of 3603 Downy Road Bldg MT 59105, as joint tenants with right of survivorship, and to their heirs and assigns forever, the hereinafter described real estate situated in Yellowstone County, Montana, to-wit:

TOWNSHIP 2 NORTH, RANGE 27 EAST, M.P.M. YELLOWSTONE COUNTY, MONTANA

Section 32: W1/2SW1/4NE1/4 dfr

TO HAVE AND TO HOLD unto the Grantees and to their successors and assigns forever, subject, however, to:

- (a) All reservations and exceptions of record and in patents from the United States or the State of Montana;
- (b) All existing easements, rights of way, building and use restrictions, and zoning ordinances;
- (c) Taxes and assessments for the year 1989 and subsequent years;
- (d) All prior conveyances, leases or transfers of any interest in minerals, including oil, gas and other hydrocarbons.

EXCEPT with reference to items referred to in paragraphs (a) to (d) above, this Deed is given with the usual covenants expressed in Section 30-11-110, Montana Code Annotated.

IN WITNESS WHEREOF, the Grantors have executed this instrument the day and year first above written.

Sheri D. Kukowski  
 SHERI D. KUKOWSKI,  
 a/k/a Sheri Kukowski

Dick R. Kukowski  
 DICK R. KUKOWSKI

STATE OF MONTANA )  
 ) : ss.  
 County of Yellowstone )

On this 1st day of November, 1989, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SHERI D. KUKOWSKI, a/k/a Sheri Kukowski, and DICK R. KUKOWSKI, wife and husband, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Laura Hudson  
 Notary Public for the State of Montana  
 Residing at Billings, Montana  
 My Commission Expires 6-22-92

DEED IN LIEU OF FORECLOSURE

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged on this day of February, 2000, the undersigned, ROGER A. NIXON, a/k/a Roger Alan Nixon, and PAULA K. NIXON, a/k/a Paula Kay Nixon, Grantors, of Bellevue, Washington, hereby grant unto FIRST INTERSTATE BANK, Grantee, of P.O. Box 31438, Billings, Montana, and to its assigns forever, the hereinafter described real estate situated in Yellowstone County, Montana, to-wit:

Section 32: W1/4SW1/4NE1/4, Township 2 North, Range 27 East, of the Principle Montana Meridian, in Yellowstone County, Montana.

This Deed is an absolute conveyance, the Grantors having sold said land to the Grantee for a fair and adequate consideration, such consideration, in addition to any consideration above recited, being full satisfaction of all obligations secured by the Deed of Trust executed by Roger A. Nixon and Paula K. Nixon, as Grantors, to Court E. Ball, a Montana licensed attorney, as Trustee, and First Interstate Bank, as Beneficiary, dated December 10, 1998, recorded December 11, 1998, under Document No. 3031299, records of Yellowstone County, Montana.

Grantors declare that this conveyance is freely and fairly made, and that there are no agreements, oral or written, other than this Deed between Grantors and Grantee with respect to said land.

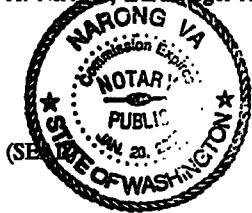
IN WITNESS WHEREOF, the Grantors have executed this instrument the day and year first above written.

*Roger A. Nixon*  
\_\_\_\_\_  
ROGER A. NIXON, a/k/a Roger Alan Nixon

*Paula K. Nixon*  
\_\_\_\_\_  
PAULA K. NIXON, a/k/a Paula Kay Nixon

STATE OF WASHINGTON )  
 ) ss.  
County of King )

This instrument was acknowledged before me on this 25 day of February, 2000, by ROGER A. NIXON, a/k/a Roger Alan Nixon, and PAULA K. NIXON, a/k/a Paula Kay Nixon.



*Sharon VA*  
\_\_\_\_\_  
Notary Public for the State of Washington  
Residing at \_\_\_\_\_  
My Commission Expires: 1/28/03

RETURN TO: COURT E. BALL, ESQ.  
P.O. BOX 30457  
BILLINGS, MT 59107-0457

3082952  
Page: 1 of 1  
03/02/2000 09:10P

AFTER RECORDING RETURN TO:  
RAY L & SHEILA C CUCANCIC  
3603 DRURY LANE  
BILLINGS, MT  
3-72381 (1)

439-C03451

3083306  
Page: 1 of 1  
03/07/2000 10:24A

Yellowstone County GD

**GRANT DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged on this <sup>6<sup>th</sup></sup> day of March, 2000, the undersigned, FIRST INTERSTATE BANK, Grantor, hereby grants unto RAY L. CUCANCIC and SHEILA C. CUCANCIC, husband and wife, as joint tenants with right of survivorship, Grantees, of 3603 Drury Lane, Billings, Montana, and to Grantees' heirs and assigns forever, the hereinafter described real estate situate in Yellowstone County, Montana, to-wit:

Section 32: W<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, Township 2 North, Range 27 East, of the Principle Montana Meridian, in Yellowstone County, Montana.\*\*\* SEE BELOW

Grantor's intention is to hereby convey to the Grantees, Grantees' heirs and assigns such title as Grantor originally received as Grantee, without enlarging upon or diminishing same. Grantor covenants that Grantor has not conveyed the above-described real estate or any right, title, or interest therein to any person other than the Grantees herein and that said real property is at the time of the execution of this conveyance free from encumbrances done, made, or suffered by the Grantor or any person claiming under the Grantor.

IN WITNESS WHEREOF, the Grantor has executed this instrument the day and year first above written.

ATTEST:

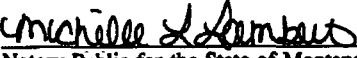
By  \_\_\_\_\_  
JOSEPH A. HANSER, Vice President

FIRST INTERSTATE BANK

By  \_\_\_\_\_  
ROBERT F. SCHNEIDER, President

STATE OF MONTANA )  
 ) ss.  
County of Yellowstone )

This instrument was acknowledged before me on this <sup>6<sup>th</sup></sup> day of March, 2000, by ROBERT F. SCHNEIDER, as President of FIRST INTERSTATE BANK.

  
\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at Billings, Montana  
My Commission Expires: 10/15/03

(SEAL)

\*\*\*EXCEPT the South 20 feet thereof reserved for public highway by Patent recorded December 15, 1906, in Book X, Page 94, under Document #5337, records of Yellowstone County, Montana.

Return To:  
M. JAMES SCHANCK and LANDRA L. SCHANCK  
3603 Drury Lane  
Billings, Montana 59105  
3-74403  
①

WARRANTY DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged on this 29th day of November, 2000, the undersigned, RAY L. CUCANCIC and SHEILA C. CUCANCIC, husband and wife, of 3730 McGirl Road, Billings, Montana 59105, hereby grant unto M. JAMES SCHANCK and LANDRA L. SCHANCK, of 3603 Drury Lane, Billings, Montana 59105, as joint tenants with right of survivorship, and to their heirs and assigns forever, the hereinafter described real estate situated in Yellowstone County, Montana, to-wit:

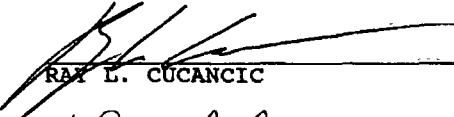
That part of the NE1/4 of Section 32, Township 2 North, Range 27 East, of the Principal Montana Meridian, in Yellowstone County, Montana, described as Tract 1, of Certificate of Survey No. 3044 on file in the office of the Clerk and Recorder of said County, under Document #3094940.


TO HAVE AND TO HOLD unto the Grantees and to their successors and assigns forever, subject, however, to:

- (a) All reservations and exceptions of record and in patents from the United States or the State of Montana;
- (b) All recorded or visible easements, recorded covenants and conditions, rights of way, building and use restrictions, waivers or agreements given to or entered into with governmental entities, and zoning ordinances;
- (c) Taxes and assessments for the year 2000 and subsequent years;
- (d) All prior conveyances, leases or transfers of any interest in minerals, including oil, gas and other hydrocarbons.

EXCEPT with reference to items referred to in paragraphs (a) to (d) above, this Deed is given with the usual covenants expressed in Section 30-11-110, Montana Code Annotated.

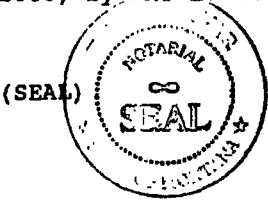
IN WITNESS WHEREOF, the Grantors have executed this instrument the day and year first above written.

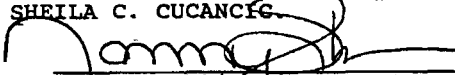
  
 \_\_\_\_\_  
 RAY L. CUCANCIC

  
 \_\_\_\_\_  
 SHEILA C. CUCANCIC

STATE OF MONTANA )  
                          : ss.  
County of Yellowstone )

This instrument was acknowledged before me on Nov. 29, 2000, by RAY L. CUCANCIC and SHEILA C. CUCANCIC.



  
 \_\_\_\_\_  
 Notary Public for the State of Montana  
 My Commission Expires 8/8/2004

3111212  
Page: 1 of 1  
11/30/2000 04:12P

☆FORM 608 CHECKLIST☆

CHECK YES OR NO FOR ALL QUESTIONS; IF A BLOCK DOES NOT APPLY ENTER "NA"

YES	NO	FORM REVIEW	REMARKS
-----	----	-------------	---------

PART 2

<input checked="" type="checkbox"/>		Seller - name and address complete?	
<input checked="" type="checkbox"/>		Buyer - name and address complete?	

A. WATER RIGHTS(S) TO UPDATE

<input checked="" type="checkbox"/>		Water right numbers listed correctly?	
-------------------------------------	--	---------------------------------------	--

B. SELLER

<input checked="" type="checkbox"/>		Buyer received 100% interest. If not, map of buyer's property is attached?	
	<input checked="" type="checkbox"/>	Sale is on contract for deed and seller is to remain listed as owner?	
<input checked="" type="checkbox"/>		All seller signatures available. If not, copies of recorded deeds attached?	<i>see attached deeds</i>

C. CONTACT

	<input checked="" type="checkbox"/>	Contact person identified?	
--	-------------------------------------	----------------------------	--

DEPARTMENT REVIEW

<input checked="" type="checkbox"/>		Fee Correct?	
<del>NA</del>	<input checked="" type="checkbox"/>	DNRC owner of record same as seller?	<i>Jojo Salveson listed as owner</i>
<input checked="" type="checkbox"/>		If not, deeds showing chain of ownership attached?	<i>see deeds</i>
	<input checked="" type="checkbox"/>	Copies made for Water Court, if required?	

CODING INSTRUCTIONS

ACTION	NEEDED	COMPLETE	REMARKS
Contract for deed remark			
Split right remark			
Ownership chart			
Transfer remark			
"T" - Owner keyed			
Seller's address update			
Buyer's address update			

OTHER

REVIEWER *L. Dick* DATE *12/28/00*

ACKNOWLEDGEMENT OF WATER RIGHT OWNERSHIP UPDATE  
FROM  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
STATE OF MONTANA

WATER RIGHT NUMBER 43Q -C-034451-00

\*\*\*\*\*  
WE HAVE RECEIVED A WATER RIGHT OWNERSHIP UPDATE IN WHICH YOU  
WERE NAMED AS A PARTY. THE RECORDS MAINTAINED BY THE WATER RIGHTS BUREAU  
HAVE BEEN CHANGED TO REFLECT THE NEW OWNERSHIP ACCORDING TO THE WATER RIGHT  
OWNERSHIP UPDATE. THE ABSTRACT BELOW SHOWS THE CURRENT WATER RIGHT INFORMATION.  
BOTH BUYER AND SELLER HAVE BEEN SENT THIS ACKNOWLEDGEMENT.

IF YOU HAVE QUESTIONS, PLEASE CONTACT YOUR LOCAL WATER RESOURCES REGIONAL  
OFFICE. BILLINGS REGIONAL OFFICE, 247-4415.

\*\*\*\*\*DNRC\*LOCATE\*\* \*3\*NS\*990101\*\*\*

OWNERS: SCHANCK M JAMES  
3603 DRURY LN  
BILLINGS MT 59105

SCHANCK LANDRA L  
3603 DRURY LN  
BILLINGS MT 59105

PRIORITY DATE: JUNE 24, 1981 10:15

FLOW RATE: 10.00 GALLONS PER MINUTE (G)

VOLUME: .22 ACRE FEET PER YEAR (AF)

SOURCE: WELL

PURPOSE:

USE	FLOW	VOLUME (AF)	ACRES	PERIOD OF USE
STOCK	10.00 G	.22		JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

WELL:

LOT	BLK	QTR	SEC	TWP	RGE	COUNTY
		SWNE	32	02N	27E	YELLOWSTONE

PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	TWP	RGE	COUNTY
001				SWNE	32	02N	27E YELLOWSTONE

\*\* TRANSFER OF OWNERSHIP:

UPON A CHANGE IN OWNERSHIP OF ALL OR ANY PORTION OF THIS  
CERTIFICATE, THE PARTIES TO THE TRANSFER SHALL FILE WITH  
THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION A  
WATER RIGHT OWNERSHIP UPDATE, FORM 608, PURSUANT TO  
SECTION 85-2-424, MCA.

REMARKS: WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/20/00.

NA 43Q-34451-00

RECEIVED

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
AND WATER COURTS OF MONTANA

3-8-2003

INSTRUCTIONS

The Transferor (seller) of a water right is required by Section 85-2-424, MCA, to file this certificate with the Department of Natural Resources and Conservation. A person who fails to do so is liable for a maximum \$50 penalty. Both buyer and seller must sign and notarize the completed form. Submit it with the required \$10 filing fee to your area field office listed on the backside of this form. Do not use this form if you are a user of a municipal or irrigation district water system.

10863  
Date received 3/31/03  
By     
Fee received 25<sup>00</sup> ck# 4511  
Transmittal No. 03-090  
Reviewed by C. Smith  
BASIN 43Q  
Coded 10/9/2003

(type or print in ink)

1. WATER RIGHT(S) TRANSFERRED: Indicate all of the water rights transferred. Attach a list if necessary.

- (P) Permit to Appropriate Water No(s). \_\_\_\_\_
- (C) Certificate of Water Right No(s). 34451-6430
- (W) Statement of Claim No(s). \_\_\_\_\_
- (Y/D) Final Decreed Right No(s). \_\_\_\_\_
- (E) Exempt Existing Water Right No(s). \_\_\_\_\_  
(If Exempt and the right is not already on record with the Department, you must complete and submit an Addendum for Exempt Existing Water Right, Form 608-B.)

2. MEANS OF REALTY TRANSFER:

- Deed recorded in: County \_\_\_\_\_ Bk. \_\_\_\_\_ Pg. \_\_\_\_\_ Doc. No. \_\_\_\_\_
- Contract for Deed / Notice of Purchasers Interest recorded in:  
County Yellowstone Bk. \_\_\_\_\_ Pg. \_\_\_\_\_ Doc. No. \_\_\_\_\_
- Court Decree Recorded in:  
County \_\_\_\_\_ Bk. \_\_\_\_\_ Pg. \_\_\_\_\_ Doc. No. \_\_\_\_\_
- Other, explain: \_\_\_\_\_

3. IS THERE A DIVISION OR SPLIT OF THE WATER RIGHT(S)?

- YES. If more than one water right is listed in No. 1 above, list which water right numbers have been split.  
\_\_\_\_\_

Complete one Addendum for Apportioned Water Right, Form 608-A, for each split right, showing what portion of the water right the buyer received and what portion the seller retained.

- NO. The buyer received the entire water right(s), 100%.

4. BUYER'S NAME(S): Print the complete names, mailing addresses, and phone numbers of the persons who received the water right(s).

Name Peter & Susan K. Schladweiler - per deed. 1096302 Phone No. 373-6522  
231478  
Mailing address P.O. Box 50682 Billings, MT 59105  
Name 3651 DAURY Lane Phone No. \_\_\_\_\_  
Mailing address \_\_\_\_\_

5. SELLER'S NAME(S): Print the complete names, mailing addresses, and phone numbers of the persons selling the property and water right(s). If the land is on contract for deed and the seller wants to remain on record for notification purposes only, check yes. YES \_\_\_\_\_

Name Joyce J. Salvesson 58267 Phone No. \_\_\_\_\_  
Mailing address 115 6th St. W. Apt. #8 Billings, MT 59101  
Name Landra Schanck - 56752 / M. Jama Schanck - 56753 Phone No. \_\_\_\_\_  
Mailing address \_\_\_\_\_

6. PERSON/AGENCY COMPLETING FORM: Name First Montana Title Company  
Address 204 North 29th Street, Billings, MT 59101 Phone No. 248-3000

7. INTERESTED PARTIES: If there are other persons who are to receive notice of adjudication proceedings concerning the water rights(s), list their complete names, mailing address and phone numbers.

Name \_\_\_\_\_ Phone No. \_\_\_\_\_  
Mailing address \_\_\_\_\_  
Name \_\_\_\_\_ Phone No. \_\_\_\_\_  
Mailing address \_\_\_\_\_

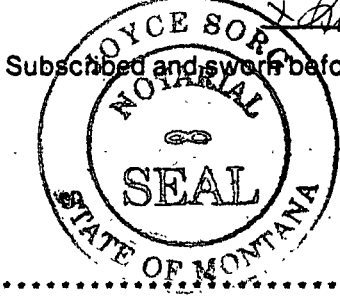
8. REMARKS Use this space to further explain any of the items. \_\_\_\_\_

9. SIGNATURES:  
A. Seller's Signature(s) Joyce Sork Date 3-10-93  
Date \_\_\_\_\_



Subscribed and sworn before me this 10th day of March 19 93  
Joyce Sork  
Notary of the State of Montana  
Residing at Billings  
My Commission expires 5/13/95

B. Buyer's Signature(s) Peter W. Schladweiler Date 3-10-93  
Ausan K. Schladweiler Date 3-10-93



Subscribed and sworn before me this 10th day of March 19 93  
Joyce Sork  
Notary of the State of Montana  
Residing at Billings  
My Commission expires 5/13/95

**WATER RIGHTS BUREAU FIELD OFFICES**

**BILLINGS**  
1537 Avenue D, Suite 105  
Billings, Montana 59102  
Phone: 657-2105  
Serving: Big Horn, Carbon,  
Stillwater, Sweet Grass, Treasure  
and Yellowstone Counties.

**BOZEMAN**  
1201 East Main  
Bozeman, Montana 59715  
Phone: 586-3136 or 586-3137  
Serving: Gallatin, Madison  
and Park Counties.

**GLASGOW**  
110 5th Street South, Room 106  
P.O. Box 1269  
Glasgow, Montana 59230  
Phone: 228-2561  
Serving: Daniels, Dawson, Garfield,  
McCone, Phillips, Richland,  
Roosevelt, Sheridan and Valley  
Counties.

**HAVRE**  
1708 West Second Street  
P.O. Box 1828  
Havre, Montana 59501  
Phone: 265-5516 or 265-2225  
Serving Blaine, Chouteau, Glacier,  
Hill, Liberty, Pondera, Teton and  
Toole Counties.

**HELENA**  
1520 East Sixth Ave.  
Helena, Montana 59620-2301  
Phone: 444-6695  
Serving: Beaverhead, Broadwater,  
Deer Lodge, Jefferson,  
Lewis and Clark, Powell,  
and Silver Bow Counties.

**KALISPELL**  
3220 Highway 93 South  
P.O. Box 860  
Kalispell, Montana 59903-0860  
Phone: 752-2288 or 752-2843  
Serving: Flathead, Lake, Lincoln  
and Sanders Counties.

**LEWISTOWN**  
204 South Daws  
P.O. Box 438  
Lewistown, Montana 59457  
Phone: 538-7459 or 538-7012  
Serving: Cascade, Fergus, Golden  
Valley, Judith Basin, Meagher,  
Musselshell, Petroleum and  
Wheatland Counties.

**MILES CITY**  
5 North Prairie  
P.O. Box 276  
Miles City, Montana 59301  
Phone: 232-6359  
Serving: Carter, Custer, Fallon,  
Powder River, Prairie, Rosebud  
and Wibaux Counties.

**MISSOULA**  
Holiday Village Professional Plaza,  
Suite 105  
P.O. Box 5004  
Missoula, Montana 59806  
Phone: 721-4284  
Serving: Granite, Mineral, Missoula,  
and Ravalli Counties.



Peter W. Schladweiler  
3651 Drury Rd  
Billings MT 59105

D

WARRANTY DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged on this 10 day of March, 1993, the undersigned, JOYCE J. SALVESON, of 115 6th Street West, Apt. #8, Billings, Montana 59101, hereby grants unto PETER W. SCHLADWEILER AND SUSAN K. SCHLADWEILER, husband and wife, of Drury Road, Billings, Montana 59105, and to their heirs and assigns forever, the hereinafter described real estate situated in Yellowstone County, Montana, to-wit:

Township 2 North, Range 27 East, M.P.M., Yellowstone County, Montana

Section 32: ~~W $\frac{1}{2}$ E $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$~~

and

10 shares of the capital stock of the Billings Bench Water Association

and

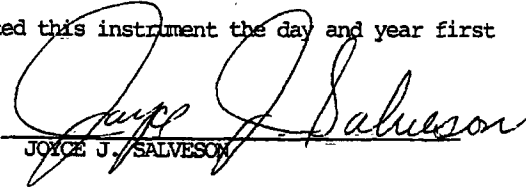
Montana water right number 34451-G430 with priority right dated June 24, 1981 at 10:15 a.m. for a water well 10.00 GPM up to 0.22 AC-FT recorded 1/4/82 in Book 1233 at page 732, under document number 1217723, records of the Clerk and Recorder of Yellowstone County, Montana

TO HAVE AND TO HOLD unto the Grantee and to their successors and assigns forever, subject, however, to:

- A. All patent reservations from the United States or the State of Montana.
- B. Building, use and zoning restrictions.
- C. Rights, reservations, exceptions and easements of record.
- D. Taxes for the year 1993, and subsequent years.
- E. Special assessments for the year 1993, and subsequent years, including such special assessments as may have been levied, but are not yet due or payable.
- F. All prior conveyances, leases, exceptions, or transfers of any interest in minerals, including oil, gas, and other hydrocarbons.

EXCEPT with reference to items referred to in paragraphs A to F above, this Deed is given with the usual covenants expressed in Section 30-11-110, Montana Code Annotated.

IN WITNESS WHEREOF, the Grantor has executed this instrument the day and year first above written.


  
JOYCE J. SALVESON

STATE OF MONTANA )  
                          : ss.  
COUNTY OF YELLOWSTONE )

On this 10 day of March, 1993, before me, the undersigned, a Notary Public for the State of Montana, personally appeared JOYCE J. SALVESON, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



  
NOTARY PUBLIC FOR THE STATE OF MONTANA  
Residing at Billings, Montana  
My Commission Expires: 5/31/95

3219844  
Page: 1 of 1  
3/17/2003 09:26A

mail to:

# APPLICATION FOR DETERMINATION OF INHERITANCE TAX

DEPARTMENT OF REVENUE — INCOME & MISCELLANEOUS TAX DIVISION — INHERITANCE TAX  
MITCHELL BUILDING — HELENA, MONTANA 59620

This form is to be used only when a personal representative is not required. The decedent's social security number is required on all forms. The applicant's social security or federal identification number is required on this form.

I hereby make application for determination by the Department of Revenue of the amount of Inheritance Tax, if any, due the State of Montana by reason of death of the following named decedent.

Decedents First and Middle Name <b>Susan K.</b>		Decedents Last Name <b>Schladweiler</b>		Date of Death
Residence (Domicile) at Time of Death <b>3651 Drury Billings Mt.</b>		Address of Decedent at time of Death <b>3651 Drury Billings Mt.</b>		Social Security Number <b>[REDACTED]</b>
Cause of Death <b>Respiratory Distress</b>	Length of Illness <b>3 days</b>	Date of Birth	Marital Status of Decedent <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input checked="" type="checkbox"/> Married <input type="checkbox"/> Widow(er)	

4. DID THE DECEDENT HAVE AN INTEREST IN ANY PROPERTY LOCATED OUTSIDE THE STATE OF MONTANA?  Yes  No  
IF YES, SUBMIT A COPY OF THE INVENTORY AND VALUES OF ALL PROPERTY AND SCHEDULE A.

5. WAS FEDERAL ESTATE TAX FORM 706 FILED? If yes, please attach a copy.  Yes  No

6. DOES THIS APPLICATION INCLUDE ALL PROPERTY OF THE DECEDENT?  Yes  No

(FOR DEPARTMENT OF REVENUE USE ONLY)

### CERTIFICATE

Upon examination of this application, the Department of Revenue finds that:  
TOTAL INHERITANCE/MONTANA ESTATE TAX DUE IS

**\$ NONE**

1. If the tax as shown due is paid on or before \_\_\_\_\_ a discount of five percent (5%) is allowable (no allowable discount on Estate tax). If the tax is not paid on or before that date, interest must be charged at the rate of ten percent (10%) per annum from the date of death to the date of payment of any portion of said tax remaining unpaid.

OR:

2. That the records indicate a deposit of tax was made. \_\_\_\_\_ and that:

The tax is fully paid.

I HEREBY CERTIFY THAT I AM THE CUSTODIAN OF THE RECORDS FOR INHERITANCE TAX, AND THAT THIS APPLICATION IS A FULL, TRUE, AND CORRECT COPY OF THE APPLICATION ON FILE IN THIS OFFICE.

**E RECEIVED**

**MAR 18 2003**

DEPARTMENT OF REVENUE  
*[Signature]*  
Inheritance Tax

### 8. TO BE COMPLETED BY THE COUNTY TREASURER'S OFFICE

Date: \_\_\_\_\_ A-120 No. \_\_\_\_\_ INH. TAX \$ \_\_\_\_\_

This will certify that the information is true and complete.

Less Discount ..... \_\_\_\_\_

Plus Interest ..... \_\_\_\_\_

Amount Paid ..... \_\_\_\_\_

\_\_\_\_\_ County Treasurer

AFFIANT IS THE PERSON WHO EXECUTED THE FOREGOING APPLICATION. HE HAS READ THE SAME AND KNOWS THE CONTENTS THEREOF. THE MATTERS STATED THEREIN ARE TRUE TO HIS KNOWLEDGE, EXCEPT SUCH MATTERS AS ARE STATED TO BE UPON INFORMATION AND BELIEF, AND AS TO THOSE MATTERS, HE BELIEVES THEM TO BE TRUE. PLEASE SUBMIT FORM, IN DUPLICATE, BOTH WITH ORIGINAL SIGNATURES AND NOTARY.

Peter W. Schladweiler  
Person or Firm Preparing Application  
3651 Drury  
Mailing Address  
Billings, Mt. 59105

Peter W. Schladweiler  
Signature of Applicant  
3651 Drury Billings, Mt. 59105  
Applicant's SSN or FEIN  
Applicant's Complete Mailing Address



Subscribed and sworn to before me this March 17, 2003  
by Peter W. Schladweiler  
Notary Public for the State of Montana  
Residing at Billings, Montana  
My commission expires Oct. 4th, 2006

Filed for record on the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_ at \_\_\_\_\_ O'clock \_\_\_\_\_, and Recorded in  
BOOK \_\_\_\_\_ of \_\_\_\_\_ on PAGE \_\_\_\_\_, Records of \_\_\_\_\_ County, Montana.

Fee \$ \_\_\_\_\_  
Return to: \_\_\_\_\_  
County Clerk and Recorder,  
By \_\_\_\_\_, Deputy

**INVENTORY AND APPRAISEMENT**

(If any Property was solely owned by Decedent, see instructions)

**JOINTLY OWNED PROPERTY**

List all jointly owned property including real estate, bank accounts, U.S. Bonds, etc. List the name or names, relationship to deceased and addresses of the surviving joint tenant(s) immediately above each item or group of items as applicable. Real property must be described by legal description giving the City or County in which it is located.

1.	ITEM NO.	COMPLETE DESCRIPTION	Full Fair Market Value on Date of Death	Taxable Interest
		Township 2 North, Range 27 East, M.P.M., Yellowstone County, Montana  SECTION 32: W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{4}$  10 shares of the capital stock of the Billings Bench Water Association  and		

Montana water right number 34451-G430 with priority right dated June 24, 1981 at 10:15 a.m. for a water well 10.00 GPM up to 0.22 AC-FT recorded 1/4/82 in Book 1233 at page 732, under document number 1217723, records of the Clerk and Recorder of Yellowstone County, Montana

JOINTLY OWNED PROPERTY \$ \_\_\_\_\_  
 LIFE  
 money's worth, within three years of death, and transfers in the decedent retained any incidence of ownership,

2.	ITEM NO.	COMPLETE DESCRIPTION	Fair Market Value

TOTAL OF TRANSFERS DURING DECEDENTS LIFE \$ \_\_\_\_\_

**ALL OTHER PROPERTY NOT REQUIRING PROBATE**

3.	ITEM NO.	COMPLETE DESCRIPTION	Fair Market Value

TOTAL OTHER PROPERTY \$ \_\_\_\_\_

TOTAL VALUE OF THIS PAGE (Post to Page 3, line 7a) \$ \_\_\_\_\_

(If any space is insufficient, attach schedule)

☆FORM 608 CHECKLIST☆

CHECK YES OR NO FOR ALL QUESTIONS; IF A BLOCK DOES NOT APPLY ENTER "NA"

YES	NO	FORM REVIEW	REMARKS
-----	----	-------------	---------

PART 2

<input checked="" type="checkbox"/>		Seller - name and address complete?	
<input checked="" type="checkbox"/>		Buyer - name and address complete?	

A. WATER RIGHTS(S) TO UPDATE

<input checked="" type="checkbox"/>		Water right numbers listed correctly?	
-------------------------------------	--	---------------------------------------	--

B. SELLER

<input checked="" type="checkbox"/>		Buyer received 100% interest. If not, map of buyer's property is attached?	
	<input checked="" type="checkbox"/>	Sale is on contract for deed and seller is to remain listed as owner?	
<input checked="" type="checkbox"/>		All seller signatures available. If not, copies of recorded deeds attached?	

C. CONTACT

<input checked="" type="checkbox"/>		Contact person identified?	
-------------------------------------	--	----------------------------	--

DEPARTMENT REVIEW

<input checked="" type="checkbox"/>		Fee Correct?	
	<input checked="" type="checkbox"/>	DNRC owner of record same as seller?	<i>Landra + m. James Schanck listed as current owners.</i>
<input checked="" type="checkbox"/>		If not, deeds showing chain of ownership attached?	
<input checked="" type="checkbox"/>		Copies made for Water Court, if required?	

CODING INSTRUCTIONS

ACTION	NEEDED	COMPLETE	REMARKS
Contract for deed remark			
Split right remark			
Ownership chart			
Transfer remark	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
"T" - Owner keyed			
Seller's address update	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Buyer's address update			

OTHER *Water right was transferred to Schanck's by mistake in 2000. Salvason sold to Schladweiler in 1993 and was in escrow until 2003.*  
CS.

REVIEWER C. Smith

DATE 10/9/2003

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

## ACKNOWLEDGEMENT OF WATER RIGHT OWNERSHIP UPDATE

WE HAVE RECEIVED A WATER RIGHT OWNERSHIP UPDATE IN WHICH YOU WERE NAMED AS A PARTY. THE RECORDS MAINTAINED BY THE WATER RIGHTS BUREAU HAVE BEEN CHANGED TO REFLECT THE NEW OWNERSHIP ACCORDING TO THE WATER RIGHT OWNERSHIP UPDATE. THE ABSTRACT BELOW SHOWS THE CURRENT WATER RIGHT INFORMATION. BOTH BUYER AND SELLER HAVE BEEN SENT THIS ACKNOWLEDGEMENT. IF YOU HAVE FURTHER QUESTIONS, PLEASE CONTACT YOUR LOCAL WATER RESOURCES REGIONAL OFFICE.

BILLINGS REGIONAL OFFICE 406-247-4415

**Water Right Number:** 43Q 34451 00 GROUND WATER CERTIFICATE  
**Version:** 1 -- ORIGINAL RIGHT  
**Status:** ACTIVE

**Owners:** PETER SCHLADWEILER  
3651 DRURY LANE  
BILLINGS, MT 59105

**Priority Date:** JUNE 24, 1981 at 10:15 A.M.

**Purpose (use):** STOCK  
**Maximum Flow Rate:** 10.00 GPM  
**Maximum Volume:** 0.22 AC-FT

**Source:**  
**Source Name:** GROUNDWATER  
**Source type:** GROUNDWATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNE	32	2N	27E	YELLOWSTONE

**Diversion Means:** WELL

**Purpose (Use):** STOCK  
**Volume:** 0.22 AC-FT  
**Period of Use:** JANUARY 1 to DECEMBER 31  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNE	32	2N	27E	YELLOWSTONE

**Remarks:**

**OWNERSHIP UPDATE RECEIVED**  
WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/20/00.

**OWNERSHIP UPDATE RECEIVED**  
WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/31/2003 .

NA

FILE-NO. 430-34451-00

# DNRC WATER RIGHT OWNERSHIP UPDATE

GEO CODE:	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

**PART 1 - SALE DATE:**  
9/29/2003  
 Month/Day/Year

**SEE IMPORTANT INFORMATION ON THE BACK OF THIS FORM**

**PART 2 - Grantor/Grantee - names must be entered exactly as they appear on the transfer of ownership**

Seller - Enter grantor's complete name and mailing address, including city, state and ZIP.

▶ Peter Schladweiler  
~~3651 Drury Lane~~ 950 Seven Hills Drive #2825  
~~Billings, MT 59105~~ Henderson, NV 89052  
 Daytime Phone # \_\_\_\_\_

Buyer - Enter grantee's complete name and assessment notice mailing address, including city, state and ZIP.

▶ Lyle D. Baumann  
3651 Drury Lane 406-652-7744  
Billings, MT 59105 406-665-5191  
 Daytime Phone # \_\_\_\_\_

**PART 3 - Description of Property - If description is too lengthy, please attach a separate page**

Legal Description: \_\_\_\_\_ Attachment   
 Add/Sub \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_  
 County \_\_\_\_\_ City/Town \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Filing FEE \$50  
 &  
 copy warrants cleared

Main Geocode: \_\_\_\_\_  
 Assessment Code Or Parcel #: \_\_\_\_\_

231428  
 225943

**A. WATER RIGHT(S) TO UPDATE**

List all water rights which need to have ownership updated. Attach a list if additional space is needed.

Attachment

- ▶ (W, U, A, B, or O) Statement of Claim No. \_\_\_\_\_
- ▶ (C) Certificate of Water Right No. 430-34451
- ▶ (P) Permit to Appropriate Water No. \_\_\_\_\_
- ▶ (E) Exempt Existing Right No. \_\_\_\_\_
- ▶ (D) Powder River Basin Decreed Right No. \_\_\_\_\_
- ▶ Other \_\_\_\_\_

**B. SELLER** (person relinquishing the water right): If all seller's signatures are not available, attach a copy of the recorded instrument showing conveyance of the property from the seller to the buyer. If the seller listed is not the person identified as the water right owner in the DNRC records, attach copies of the recorded documents showing chain of title including the legal description.

Yes  No  Did the buyer receive 100% of the seller's interest in the water rights shown above? If no, attach a map showing buyer's property.

Yes  No  If the sale is on a contract for deed, does the seller want to remain listed as an owner of the water right?

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

**C. FOR QUESTIONS or CLARIFICATION, WHO SHOULD THE DNRC CONTACT?**

Name Lyle Baumann Address 3651 Drury Lane Phone # 406-665-5191  
Billings, MT 59105

**D. REMARKS**

FOR DEPARTMENT USE ONLY <u>27839</u>		WATER RIGHT TRANSFER CERTIFICATE	
Fee Rec'd <u>50.00</u>	Check No. <u>9233</u>	Transmittal No. <u>BLW 06057</u>	Date Rec'd _____
Payor <u>Lyle Baumann</u>		<b>RECEIVED</b>  DEC 16 2005	
Refund _____	Date <u>12/28/05</u>		
Coder <u>Lp</u>	RO# <u>3</u>		
For Complete Information. See File <u>430-34451-00</u>		Rec'd By _____ DEPT. OF NATURAL RESOURCES AND CONSERVATION	

**COMPLETE AND SEND THIS FORM TO DNRC IF WATER RIGHT OWNERSHIP MUST BE UPDATED**  
 See reverse side for fee information.

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:** 43Q 34451-00 GROUND WATER CERTIFICATE  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** PETER SCHLADWEILER ←  
3651 DRURY LANE  
BILLINGS, MT 59105

**Priority Date:** JUNE 24, 1981 at 10:15 A.M.  
**Enforceable Priority Date:** JUNE 24, 1981 at 10:15 A.M.

**Purpose (use):** STOCK  
**Maximum Flow Rate:** 10.00 GPM  
**Maximum Volume:** 0.22 AC-FT

**Source:**  
**Source Name:** GROUNDWATER  
**Source Type:** GROUNDWATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNE	32		2N	27E	YELLOWSTONE

**Diversion Means:** WELL

**Period of Diversion:** JANUARY 1 to DECEMBER 31

**Purpose (Use):** STOCK  
**Volume:** 0.22 AC-FT  
**Period of Use:** JANUARY 1 to DECEMBER 31  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNE	32		2N	27E	YELLOWSTONE

**Remarks:**

**OWNERSHIP UPDATE RECEIVED**  
WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/20/00.  
**OWNERSHIP UPDATE RECEIVED**  
OWNERSHIP UPDATE ID # 10863 RECEIVED 03/31/2003.

# ALBACK & BOSCHERT, P.C.

*Attorneys And Counselors At Law*

**TOBY ALBACK**

**ROSEMARY C. BOSCHERT**

*Of Counsel*

Susan R. Martinez, Paralegal

Kandis Koenig, Legal Assistant

227 Hedden-Empire Building  
208 North 29th Street  
Billings, MT 59101

Telephone: (406) 252-4221  
Fax: (406) 294-4284  
boschlaw@wtp.net

November 17, 2003

Lyle D. Baumann  
3651 Drury Lane  
Billings, Montana 59105

RE: Schladweiler – Baumann

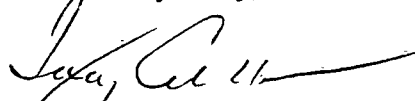
Dear Mr. Baumann:

Susie Cooper-Linnell has advised me that you have misplaced the original Warranty Deed you received from Mr. Schladweiler concerning the property you purchased from him on September 29, 2003. Mrs. Linnell has also requested that I send you a copy of the recorded deed. Therefore, you will find enclosed a copy of the Warranty Deed reflecting that the same was filed with the Yellowstone Clerk and Recorder on October 2, 2003 at 10:23 a.m.

Should have any questions concerning this matter, please feel free to contact me.

Best regards.

Yours Very Truly,



Toby Alback  
Attorney At Law

TA:jr

Enclosures

cc: Susie Cooper-Linnell



**WARRANTY DEED**

Warranty deed made this 29 day of September, 2003, by and between **PETER W. SCHLADWEILER**, with mailing address of 950 Seven Hills Drive, #2825, Henderson, Nevada 89052, herein referred to as Grantor, in consideration of TEN DOLLARS and other valuable consideration (\$10.00 and OVC) received from **LYLE D. BAUMANN**, with mailing address of 3651 Drury Lane, Billings, Montana 59105, herein referred to as Grantee, does grant, bargain, sell, convey, and confirm unto Grantee, the following described real property in the City of Billings, County of Yellowstone, State of Montana, to-wit:

**Township 2 North, Range 27 East, M.P.M., Yellowstone County, Montana:**

**Section 32: W ½ E ½ SW ¼ NE ¼**

**Excepting therefrom and reserving a strip of land 20 feet wide along the south side thereof for public highway by a Deed, recorded December 15, 1906 in Book X, Page 94.**

**Also excepting that portion described as Tract 1, Certificate of Survey No. 3155.**

To have and to hold the above-described premises together with all tenements, hereditaments and appurtenances thereto belonging unto Grantee and to Grantee's heirs and assigns forever, subject, however, to restrictions, reservations, conditions, covenants and all matters of public record.

Grantor does hereby covenant with Grantee and with Grantee's heirs and assigns that Grantor is lawfully seized of said premises, that they are free from encumbrance; that Grantor has good right and lawful authority to convey the same; and that Grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

**WARRANTY DEED**

**Peter W. Schladweiler, Grantor;**

**Lyle D. Baumann, Grantee;**

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Yellowstone County

IN WITNESS WHEREOF, the Grantor has hereunto set his hand on the day and year first above written.

*Peter W. Schladweiler*  
**PETER W. SCHLADWEILER**  
950 Seven Hills Drive, #2825  
Henderson, Nevada 89052

STATE OF MONTANA     )  
  : ss.  
County of Yellowstone    )

On this 29 day of Sept, 2003 before me, the undersigned, a Notary Public for the State of Montana, personally appeared **PETER W. SCHLADWEILER**, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same.

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



*Janice E. Hansen*  
Notarial Seal for the State of Montana;  
Residing at: [Signature]  
My Commission expires: 9/9/2007  
Printed Name: \_\_\_\_\_

JANICE E. HANSEN

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

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

**ACKNOWLEDGEMENT OF WATER RIGHT  
OWNERSHIP UPDATE**

WE HAVE RECEIVED A WATER RIGHT OWNERSHIP UPDATE IN WHICH YOU WERE NAMED AS A PARTY. THE RECORDS MAINTAINED BY THE WATER RIGHTS BUREAU HAVE BEEN CHANGED TO REFLECT THE NEW OWNERSHIP ACCORDING TO THE WATER RIGHT OWNERSHIP UPDATE. THE ABSTRACT BELOW SHOWS THE CURRENT WATER RIGHT INFORMATION. BOTH BUYER AND SELLER HAVE BEEN SENT THIS ACKNOWLEDGEMENT. IF YOU HAVE FURTHER QUESTIONS, PLEASE CONTACT YOUR LOCAL WATER RESOURCES REGIONAL OFFICE.

BILLINGS REGIONAL OFFICE (406) 247-4415

**Water Right Number:** 43Q 34451 00 GROUND WATER CERTIFICATE  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** LYLE BAUMANN  
3651 DRURY LANE  
BILLINGS, MT 59105

**Priority Date:** JUNE 24, 1981 at 10:15 A.M.  
**Enforceable Priority Date:** JUNE 24, 1981 at 10:15 A.M.

**Purpose (use):** STOCK  
**Maximum Flow Rate:** 10.00 GPM  
**Maximum Volume:** 0.22 AC-FT

**Source:**  
**Source Name:** GROUNDWATER  
**Source type:** GROUNDWATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNE	32	2N	27E	YELLOWSTONE

**Diversion Means:** WELL

**Period of Diversion:** JANUARY 1 to DECEMBER 31

**Purpose (Use):** STOCK  
**Volume:** 0.22 AC-FT  
**Period of Use:** JANUARY 1 to DECEMBER 31  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNE	32	2N	27E	YELLOWSTONE

December 28, 2005

43Q 34451 00

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NEW STORAGE

Ownership Update ID#: 27839

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**Remarks:**

**OWNERSHIP UPDATE RECEIVED**

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/20/00.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE ID # 10863 RECEIVED 03/31/2003.

OWNERSHIP UPDATE ID # 27839 RECEIVED 12/16/2005.