

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 5613-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

GORDON GALARNEAU  
2601 E AMERICAN BLVD  
MINNEAPOLIS, MN 55425

RINDA GALARNEAU  
2601 E AMERICAN BLVD  
MINNEAPOLIS, MN 55425

MICHAEL L SCHARA  
PO BOX 98  
LAUREL, MT 59044-0098

JOANNE M VANDENBROEK  
PO BOX 98  
LAUREL, MT 59044-0098

DONALD J BLYTON  
816 KYHL LN  
BILLINGS, MT 59105

SHARON J BLYTON  
816 KYHL LN  
BILLINGS, MT 59105

SCOTT ROGINSKE  
PO BOX 130  
JOLIET, MT 59041-0130

GEORGE T WARBURTON  
PO BOX 257  
JOLIET, MT 59041

STACEY R WARBURTON  
PO BOX 257  
JOLIET, MT 59041

TIMOTHY R WEBB  
PO BOX 21536  
BILLINGS, MT 59104

RHONA R WEBB  
PO BOX 21536  
BILLINGS, MT 59104

EVAN L WOLFE  
PO BOX 266  
JOLIET, MT 59041

SUSAN M WOLFE  
PO BOX 266  
JOLIET, MT 59041

COLE, JR & SONS  
150 FINGER BUTTES TRAIL  
ALZADA, MT 59311

PODOLAK, RONALD F LIVING TRUST  
RONALD, F PODOLAK TRUSTEE  
PO BOX 1212  
LAUREL, MT 59044

PODOLAK, DONNA JEAN LIVING TRUST  
PODOLAK, DONNA JEAN TRUSTEE  
PO BOX 1212  
LAUREL, MT 59044

TODD A ZINNE  
3 BRIDAL TRAILS DR  
JOLIET, MT 59041

LEE ANN ZINNE  
3 BRIDAL TRAILS DR  
JOLIET, MT 59041

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS AFTER FINAL DECREE UPON REQUEST OF THE OWNERS.

**Priority Date:** APRIL 20, 1893

**Enforceable Priority Date:** APRIL 20, 1893

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 112.00 GPM

**Maximum Volume:** 105.61 AC-FT

THE VOLUME QUANTIFICATION ON THIS CLAIM IS THE RESULT OF A STIPULATION FILED BY THE PARTIES WITH THE WATER COURT ON 03/27/96. THE COURT HAS MADE NO DETERMINATION AS TO THE NEED FOR A VOLUME QUANTIFICATION ON THIS CLAIM AS PROVIDED FOR IN 85-2-234 (6) (B) (III) M.C.A.

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 55.00

**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		SESESW	7	4S	23E	CARBON

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** DUTTON CANAL

DUTTON DITCH ALSO KNOWN AS DUTTON CANAL.

DITCH NAME: DUTTON DITCH

**Period of Use:** APRIL 1 to OCTOBER 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	10.00	1		4	4S	23E	CARBON
2	40.00		SENE	4	4S	23E	CARBON
3	5.00		NESE	4	4S	23E	CARBON
<b>Total:</b>	<b>55.00</b>						

**Geocodes/Valid:**

10-0624-04-1-04-02-0000 - Y	10-0624-04-1-04-03-0000 - Y
10-0624-04-1-04-04-0000 - Y	10-0624-04-1-04-06-0000 - Y
10-0624-04-1-04-07-0000 - Y	10-0624-04-1-04-08-0000 - Y
10-0624-04-1-04-09-0000 - Y	10-0624-04-1-04-10-0000 - Y
10-0624-04-1-04-11-0000 - Y	10-0624-04-1-04-12-0000 - Y
10-0624-04-1-04-14-0000 - Y	10-0624-04-1-04-15-0000 - Y
10-0624-04-1-04-16-0000 - Y	10-0624-04-1-04-32-0000 - Y
10-0624-04-1-04-33-0000 - Y	10-0624-04-1-04-34-0000 - Y
10-0624-04-1-04-35-0000 - Y	10-0624-04-1-04-36-0000 - Y
10-0624-04-1-04-37-0000 - Y	10-0624-04-1-04-38-0000 - Y
10-0624-04-1-04-39-0000 - Y	10-0624-04-1-04-40-0000 - Y
10-0624-04-1-04-41-0000 - Y	10-0624-04-1-04-42-0000 - Y
10-0624-04-1-04-43-0000 - Y	10-0624-04-1-04-44-0000 - Y
10-0624-04-1-11-01-0000 - Y	

**Remarks:**

**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.

5613-00      5614-00      216237-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/10/89: ADDRESS, METHOD OF IRRIGATION, PLACE OF USE.

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

IMPLIED CLAIM NO. W216237-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/01/98.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/12/99.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 35498 RECEIVED 02/09/2006.

OWNERSHIP UPDATE TYPE 608 # 35500 RECEIVED 02/09/2006.

OWNERSHIP UPDATE TYPE 608 # 40374 RECEIVED 08/02/2006.

OWNERSHIP UPDATE TYPE 608 # 40415 RECEIVED 08/02/2006.

OWNERSHIP UPDATE TYPE 608 # 49676 RECEIVED 08/31/2007.

OWNERSHIP UPDATE TYPE DOR # 81629 RECEIVED 02/23/2009.

OWNERSHIP UPDATE TYPE DOR # 150273 RECEIVED 08/13/2010.

OWNERSHIP UPDATE TYPE DOR # 150280 RECEIVED 11/29/2011.

OWNERSHIP UPDATE TYPE DOR # 150282 RECEIVED 08/13/2012.

OWNERSHIP UPDATE TYPE DOR # 150285 RECEIVED 09/26/2012.

OWNERSHIP UPDATE TYPE DOR # 150286 RECEIVED 12/07/2012.

OWNERSHIP UPDATE TYPE DOR # 110385 RECEIVED 12/20/2012.

OWNERSHIP UPDATE TYPE DOR # 122351 RECEIVED 06/24/2014.

OWNERSHIP UPDATE TYPE DOR # 144240 RECEIVED 05/21/2015.

OWNERSHIP UPDATE TYPE DOR # 141782 RECEIVED 03/22/2016.

THE TIMELY FILED OBJECTION OF UNITED STATES OF AMERICA WAS AMENDED BY UNITED STATES OF AMERICA TO INCLUDE VOLUME AND POINT OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.