

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: 41D 92435-00 STATEMENT OF CLAIM
Version: 3 -- SPLIT POST DECREE

Version Status: ACTIVE

Owners: BACON, ERNEST K RANCH LP
2333 FISHTRAP RD
WISE RIVER, MT 59762-9661

DRIGGERS, JOHN TRUST
JOHN DRIGGERS - TRUSTEE
89 N BALDWIN RD
CLARKSTON, MI 48348-2301

OWNER ERNEST K BACON LTD PARTNERSHIP RETAINED. CONTRACT FOR DEED INTEREST.

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

Priority Date: SEPTEMBER 12, 1928

Enforceable Priority Date: SEPTEMBER 12, 1928

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 11.87 CFS

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

Climatic Area: 5 - LOW

Maximum Acres: 312.20

Source Name: FISHTRAP CREEK, MIDDLE FORK

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	9	2N	14W	DEER LODGE

Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

SWAMP CREEK AND FISHTRAP CREEK ARE USED AS NATURAL CARRIERS TO CONVEY WATER DIVERTED FROM FISHTRAP CREEK, MIDDLE FORK TO SIX SECONDARY DIVERSIONS IN SECTIONS 23 AND 25, T2N, R14W, AND SECTION 30, T2N, R13W, DEER LODGE COUNTY.

Period of Use: MAY 1 to SEPTEMBER 30

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	7.90	1	S2NWNW	30	2N	13W	DEER LODGE
2	15.70		NENW	30	2N	13W	DEER LODGE
3	40.00	2	SWNW	30	2N	13W	DEER LODGE
4	23.90		SE	30	2N	13W	DEER LODGE
5	40.00	3	NWSW	30	2N	13W	DEER LODGE
6	17.00		NESW	30	2N	13W	DEER LODGE
7	8.00		N2SWSW	30	2N	13W	DEER LODGE
8	4.10		SE	30	2N	13W	DEER LODGE
9	4.60		S2SWSE	30	2N	13W	DEER LODGE
10	25.00		SE	30	2N	13W	DEER LODGE
11	12.20	1	S2NENE	25	2N	14W	DEER LODGE
12	34.30	2	SE	25	2N	14W	DEER LODGE
13	23.60		NWNE	25	2N	14W	DEER LODGE
14	31.30		SWNE	25	2N	14W	DEER LODGE
15	1.50		NENWSE	25	2N	14W	DEER LODGE
16	23.10	3	NE	25	2N	14W	DEER LODGE
Total:	312.20						

Geocodes/Valid: 30-1085-25-1-01-01-0000 - Y 30-1085-25-4-01-01-0000 - Y
 30-1086-19-3-01-02-0000 - Y 30-1086-30-4-01-01-0000 - Y
 30-1086-31-1-01-01-0000 - 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.

92421-00 92422-00 92423-00 92424-00 92425-00 92426-00 92427-00
92428-00 92429-00 92433-00 92435-00

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/05/1996.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/01/1998.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/18/2000.

SPLIT CLAIM NO. 41D 30069699 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 641 # 110790 RECEIVED 06/14/2013.

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 127310 RECEIVED 12/11/2014.