

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: 41A 94941-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: HUNTSMAN, EVON W FAMILY LLC
PO BOX 240052
DELL, MT 59724-0052

Priority Date: JUNE 24, 1888

Enforceable Priority Date: JUNE 24, 1888

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 3.75 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: 310.00

Source Name: TIPTON CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS LITTLE CREEK

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	4	SWNWNW	26	14S	3W	BEAVERHEAD

Period of Diversion: MAY 15 TO OCTOBER 15

Diversion Means: HEADGATE

Period of Use: MAY 15 to OCTOBER 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	40.00		W2W2W2	14	14S	3W	BEAVERHEAD
2	40.00		S2NE	15	14S	3W	BEAVERHEAD
3	160.00		SE	15	14S	3W	BEAVERHEAD
4	60.00		NE	22	14S	3W	BEAVERHEAD
5	10.00		W2NWNW	23	14S	3W	BEAVERHEAD
Total:	310.00						

Geocodes/Valid: 18-0034-14-2-01-01-0000 - Y 18-0034-14-3-02-01-0000 - Y

18-0034-14-3-04-01-0000 - Y 18-0034-15-1-01-01-0000 - Y

18-0034-22-1-01-01-0000 - Y 18-0034-23-2-01-01-0000 - 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.

94924-00 94931-00 94941-00 94942-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/26/1996.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 90771 RECEIVED 08/11/2010.

Remarks:

AN AMENDMENT WAS SUBMITTED ON 10/17/2012, REQUESTING TO AMEND THE PLACE OF USE AND MAXIMUM ACRES. THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN APPROVED BY THE BLM, WHO MAY BE A POTENTIAL OWNER OF A PORTION OF THE HISTORIC CLAIMED PLACE OF USE.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT.

USDA AERIAL PHOTOGRAPH NO(S). 779-187 , DATED 09/17/1979 , APPEARS TO INDICATE 94.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-121 , DATED 08/14/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.