

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 94942-00 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:** APRIL 12, 1896

**Enforceable Priority Date:** APRIL 12, 1896

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 7.50 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:** 680.00

**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 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to OCTOBER 1

**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		NWNE	14	14S	3W	BEAVERHEAD
2	320.00		W2	14	14S	3W	BEAVERHEAD
3	270.00		E2	15	14S	3W	BEAVERHEAD
4	50.00		N2NW	23	14S	3W	BEAVERHEAD
<b>Total:</b>	<b>680.00</b>						

**Geocodes/Valid:** 18-0034-14-2-01-01-0000 - Y      18-0034-14-2-04-01-0000 - 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      18-0034-23-2-01-01-0000 - 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 MONTANA STATE BOARD OF LAND COMMISSIONERS AND THE US BUREAU OF LAND MANAGEMENT, WHO MAY BE POTENTIAL OWNERS OF PORTIONS 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 STATE LAND.

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 0.00 ACRES IRRIGATED.

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