

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 95023-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
ROGER D PETERS
6000 MT HIGHWAY 324
DILLON, MT 59725-9624

CARRIE A PETERS
6000 MT HIGHWAY 324
DILLON, MT 59725-9624

Priority Date: SEPTEMBER 15, 1871
Enforceable Priority Date: SEPTEMBER 15, 1871

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.63 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: 711.00

Source Name: MEDICINE LODGE 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	5	10S	11W	BEAVERHEAD
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
2		SENESE	7	10S	11W	BEAVERHEAD
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
3		NWSWNW	8	10S	11W	BEAVERHEAD
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
4		SWSENE	9	10S	11W	BEAVERHEAD
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
5		SENESE	9	10S	11W	BEAVERHEAD
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						

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	94.00		SW	4	10S	11W	BEAVERHEAD
2	71.00		NE	5	10S	11W	BEAVERHEAD
3	90.00		NW	5	10S	11W	BEAVERHEAD
4	138.00		SE	5	10S	11W	BEAVERHEAD
5	74.00		SW	5	10S	11W	BEAVERHEAD
6	37.00		SENE	6	10S	11W	BEAVERHEAD
7	12.00		NESE	6	10S	11W	BEAVERHEAD
8	52.00		NE	9	10S	11W	BEAVERHEAD
9	81.00		NW	9	10S	11W	BEAVERHEAD
10	62.00		SE	9	10S	11W	BEAVERHEAD
Total:	711.00						

Geocodes/Valid: -- NO VALID GEOCODES --

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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/15/2007: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 3/4/2003.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/07/1993.

IT IS UNCLEAR WHETHER ONE OR TWO RIGHTS EXIST FOR 105 M.I. CLAIMED FROM MEDICINE LODGE CREEK AND HORSE PRAIRIE CREEK. TWO RIGHTS CLAIM 105 M.I. AND A PRIORITY DATE OF SEPTEMBER 15, 1871. THIS RIGHT CLAIMS THE SOURCE AS MEDICINE LODGE CREEK; WATER RIGHT 41A 95011-00 CLAIMS HORSE PRAIRIE CREEK. SEVERAL DECREES ARE INVOLVED WHICH ARE NOTED IN A MEMO TO THE FILE.