

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:** 41M 114132-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
DARYLE E SWANSON  
8056 VALIER HWY  
VALIER, MT 59486-5222  
  
PAMELA R SWANSON  
8056 VALIER HWY  
VALIER, MT 59486-5222

**Priority Date:** JUNE 19, 1896  
**Enforceable Priority Date:** JUNE 19, 1896

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 12.30 CFS

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

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 248.20

**Source Name:** FISH 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		SESWNE	30	28N	9W	PONDERA

**Period of Diversion:** APRIL 25 TO OCTOBER 5

**Diversion Means:** HEADGATE

**Ditch Name:** MILLER DITCH

**Period of Use:** APRIL 25 to OCTOBER 5

**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	6.98		S2SENE	20	28N	9W	PONDERA
2	21.32		NESE	20	28N	9W	PONDERA
3	5.60		W2SWSE	20	28N	9W	PONDERA
4	4.74		SENWNE	21	28N	9W	PONDERA
5	31.06		SWNE	21	28N	9W	PONDERA
6	1.66		SENENW	21	28N	9W	PONDERA
7	24.12		SENW	21	28N	9W	PONDERA
8	9.11		S2SWNW	21	28N	9W	PONDERA
9	18.94		NWSE	21	28N	9W	PONDERA
10	6.95		N2NESW	21	28N	9W	PONDERA
11	9.47		NWSW	21	28N	9W	PONDERA
12	5.98		W2SWNE	28	28N	9W	PONDERA
13	12.92		NENW	28	28N	9W	PONDERA
14	7.69		NWNW	28	28N	9W	PONDERA
15	27.37		SENW	28	28N	9W	PONDERA
16	13.47		SWNW	28	28N	9W	PONDERA
17	0.59		NWNESW	28	28N	9W	PONDERA
18	2.27		NENWSW	28	28N	9W	PONDERA
19	4.37		SENE	29	28N	9W	PONDERA
20	0.50		SWNE	29	28N	9W	PONDERA
21	0.30		NWNWNE	29	28N	9W	PONDERA
22	28.64		SENE	29	28N	9W	PONDERA
23	2.29		NESWNE	29	28N	9W	PONDERA
24	1.38		NENESE	29	28N	9W	PONDERA
25	0.48		NWNESE	29	28N	9W	PONDERA
<b>Total:</b>	<b>248.20</b>						

<b>Geocodes/Valid:</b>	26-3981-20-1-03-01-0000 - Y	26-3981-20-4-03-02-0000 - Y
	26-3981-21-1-02-01-0000 - Y	26-3981-21-1-03-01-0000 - Y
	26-3981-28-2-01-01-0000 - Y	26-3981-28-3-01-01-0000 - Y
	26-3981-28-3-02-01-0000 - Y	26-3981-29-1-01-01-0000 - Y
	26-3981-29-1-03-01-0000 - 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.

114128-00 114131-00 114132-00 114133-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/05/2002: PLACE OF USE, FLOW RATE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2015: MAXIMUM ACRES, PLACE OF USE.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/23/2003.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 09/13/2006.

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