

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: 42A 120660-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

JANICE G CLARK
1256 ROSEBUD CREEK RD
FORSYTH, MT 59327

CLINTON W CLARK
1256 ROSEBUD CREEK RD
FORSYTH, MT 59327

GERALD ACKERMAN
27 WHITEBIRD CREEK RD
COLUMBUS, MT 59019

LORRAINE ACKERMAN
27 WHITEBIRD CREEK RD
COLUMBUS, MT 59019

OWNER CLINTON W CLARK RETAINED. CONTRACT FOR DEED INTEREST.

OWNER JANICE G CLARK RETAINED. CONTRACT FOR DEED INTEREST.

Priority Date: DECEMBER 19, 1889

Enforceable Priority Date: DECEMBER 19, 1889

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 6.68 CFS

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

Climatic Area: 1 - HIGH

Maximum Acres: 107.00

Source Name: ROSEBUD 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		NWNE	33	5N	42E	ROSEBUD

Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: PUMP

2		SENE	33	5N	42E	ROSEBUD
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Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: PUMP

3		NENWNE	33	5N	42E	ROSEBUD
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Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: PUMP

PUMP IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

Period of Use: APRIL 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	16.00		SESE	28	5N	42E	ROSEBUD
2	36.00		SWSE	28	5N	42E	ROSEBUD
3	7.00		SESW	28	5N	42E	ROSEBUD
4	18.00		NENE	33	5N	42E	ROSEBUD
5	30.00		NWNE	33	5N	42E	ROSEBUD

Total: 107.00

Geocodes/Valid: 29-1445-28-3-01-01-0000 - Y

29-1445-33-1-01-01-1152 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 116943 RECEIVED 12/27/2013.

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

USDA AERIAL PHOTOGRAPH NO(S). 278-149 , DATED 9/17/1979 , APPEARS TO INDICATE 90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). WY-3A-05 , DATED 1944 , APPEARS TO INDICATE 72 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.