

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: 41F 133736-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: JEFFREY KLEIN
PO BOX 1405
ENNIS, MT 59729

BETTY KLEIN
PO BOX 1405
ENNIS, MT 59729

KROENKE LAND & LIVESTOCK LLC
PO BOX 11350
BOZEMAN, MT 59719-1350

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: SEPTEMBER 1, 1901

Enforceable Priority Date: SEPTEMBER 1, 1901

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate:

ONE-THIRD OF TOTAL FLOW OF WATERS COLLECTED IN CEDAR LAKE.

Maximum Volume:

CASE NO. 5246 MADISON COUNTY DECREES ONE-THIRD INTEREST OF THE CEDAR LAKE STORAGE RIGHT, PURSUANT TO THE FINDINGS IN THE DECREE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 713.00

Source Name: CEDAR LAKE

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		NENESE	7	7S	2E	MADISON

Period of Diversion: JULY 15 TO OCTOBER 31

Diversion Means: HEADGATE

Reservoir: ON STREAM **Reservoir Name** CEDAR LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENESE	7	7S	2E	MADISON

Diversion to Reservoir: DIVERSION # 1

Period of Use: JULY 15 to OCTOBER 31

RIGHT IS LIMITED TO STORAGE OF WASTE AND FLOOD WATERS OF CEDAR LAKE DURING FLOOD SEASON AND AT OTHER TIMES WHEN THE WATER THEREOF CANNOT BE USED FOR IRRIGATION.

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	58.00		W2SW	3	6S	1E	MADISON
2	156.00		SE	4	6S	1E	MADISON
3	265.00		E2	9	6S	1E	MADISON
4	42.00		NW	15	6S	1E	MADISON
5	74.00		SW	15	6S	1E	MADISON
6	12.00		SE	16	6S	1E	MADISON
7	106.00		NE	16	6S	1E	MADISON
Total:	713.00						

Geocodes/Valid: 25-0424-03-2-01-01-0000 - Y 25-0424-03-3-01-01-0000 - Y
25-0424-04-1-01-01-0000 - Y 25-0424-04-3-01-01-0000 - Y

25-0424-09-1-01-01-0000 - Y

25-0424-15-1-01-01-0000 - Y

25-0424-16-4-01-02-0000 - 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.

133736-00 133740-00 133741-00 133742-00 133743-00 133744-00 133745-00
133753-00 133764-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133736-00 133737-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/19/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/02/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/24/97.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 64293 RECEIVED 11/17/2008.

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WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.
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