## 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:		3-00 STATE			MM						
		ORIGINAL									
Owners:		ersion Status:	ACTIV	'E							
Owners.	LOU ELLEN WANKEN PO BOX 571										
	SHELBY, MT 59474										
	TROY WANKEN										
	PO BOX 57										
Delersiter Deter	SHELBY, M										
Priority Date: MAY 10, 1902											
Enforceable Priority Date: MAY 10, 1902 Type of Historical Right: FILED											
Purpose (use):		.1									
	IRRIGATIOI FLOOI										
Irrigation Type: Maximum Flow Rate:											
Maximum Flow Rate:	7.50 CFS										
PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.											
waximum volume:	<b>ximum Volume:</b> THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.										
	PRIMARILY	A DIRECT FL	LOW S	YSTEM;	VOLU	IME NOT DECREED.					
Climatic Area:											
Maximum Acres:	415.00										
Source Name:	UNNAMED TRIBUTARY OF PRICES BUTTE COULEE										
Source Type:	Source Type: SURFACE WATER										
Point of Diversion and Means of Diversion:											
$\underline{ID}$	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp		County					
1		SESENW	25	31N	3W	TOOLE					
Period of Diversio Diversion Means:		TO DECEM	BER 31								
<b>Diversion Means:</b>	DAM		BER 31								
Diversion Means: Ditch Name:	DAM FOWLER D	ІТСН	BER 31	l							
<b>Diversion Means:</b>	DAM	ITCH И			Rge	County					
Diversion Means: Ditch Name:	DAM FOWLER D ON STREAM	ІТСН	BER 31 <u>Sec</u> 25	<u>Twp</u> 31N	<u>Rge</u> 3W	<u>County</u> TOOLE					
Diversion Means: Ditch Name: Reservoir: Diversion to Reser	DAM FOWLER D ON STREAM <u>Govt Lot</u> twoir: DIVER	ITCH A <u>Qtr Sec</u> SESENW SION # 1	<u>Sec</u>	<u>Twp</u>							
Diversion Means: Ditch Name: Reservoir: Diversion to Reser Dam Height:	DAM FOWLER D ON STREAM <u>Govt Lot</u> tvoir: DIVER 25.00 FEET	ITCH A <u>Qtr Sec</u> SESENW SION # 1	<u>Sec</u>	<u>Twp</u>							
Diversion Means: Ditch Name: Reservoir: Diversion to Reser Dam Height: Depth:	DAM FOWLER D ON STREAM <u>Govt Lot</u> tvoir: DIVER 25.00 FEET 15.00 FEET	ITCH A <u>Qtr Sec</u> SESENW SION # 1	<u>Sec</u>	<u>Twp</u>							
Diversion Means: Ditch Name: Reservoir: Diversion to Reser Dam Height: Depth: Surface Area:	DAM FOWLER D ON STREAN <u>Govt Lot</u> voir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES	ITCH A SESENW SION # 1	<u>Sec</u>	<u>Twp</u>							
Diversion Means: Ditch Name: Reservoir: Diversion to Reser Dam Height: Depth: Surface Area: Current Capacity:	DAM FOWLER D ON STREAN Govt Lot Tvoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES	ITCH A SESENW SION # 1	<u>Sec</u> 25	<u>Twp</u>							
Diversion Means: Ditch Name: Reservoir: Diversion to Reser Dam Height: Depth: Surface Area: Current Capacity: Period of Use:	DAM FOWLER D ON STREAN Govt Lot Tvoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES	ITCH A SESENW SION # 1	<u>Sec</u> 25	<u>Twp</u>							
Diversion Means: Ditch Name: Reservoir: Diversion to Reser Dam Height: Depth: Surface Area: Current Capacity: Period of Use: Place of Use:	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	ITCH A <u>Qtr Sec</u> SESENW SION # 1 S S E-FEET O OCTOBER	<u>Sec</u> 25	<u>Twp</u> 31N	3W	TOOLE					
Diversion Means: Ditch Name: Reservoir: Diversion to Reservoir: Dam Height: Depth: Surface Area: Current Capacity: Period of Use: Place of Use: <u>ID Acres</u>	DAM FOWLER D ON STREAN Govt Lot Tvoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES	ITCH A <u>Qtr Sec</u> SESENW SION # 1 S S E-FEET OCTOBER <u>Qtr Sec</u>	<u>Sec</u> 25 15 <u>Sec</u>	<u>Тwp</u> 31N	3W <u>Rge</u>	TOOLE					
Diversion Means: Ditch Name: Reservoir: Diversion to Reservoir: Dam Height: Depth: Surface Area: Current Capacity: Period of Use: Place of Use: <u>ID</u> <u>Acress</u> 1 17.80 2 5.80	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	ITCH A <u>Qtr Sec</u> SESENW SION # 1 S S E-FEET O OCTOBER	<u>Sec</u> 25	<u>Twp</u> 31N <u>Twp</u> 31N 31N	3W <u><b>Rge</b></u> 3W 3W	TOOLE <u>County</u> TOOLE TOOLE					
Diversion Means: Ditch Name: Neservoir: Diversion to Reservoir: Dam Height: Depth: Surface Area: Current Capacity: Period of Use: Place of Use: <u>ID</u> <u>Acress</u> 1 17.80 2 5.80 3 0.60	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	ITCH A <u>Qtr Sec</u> SESENW SION # 1 S S FFEET O OCTOBER <u>Qtr Sec</u> SESE S2SWSE SWSENE	Sec 25 15 <u>Sec</u> 23 23 24	<u>Twp</u> 31N <u>Twp</u> 31N 31N 31N	3W <u><b>Rge</b></u> 3W 3W 3W	TOOLE TOOLE TOOLE TOOLE					
Diversion Means: Ditch Name: Neservoir: Diversion to Reservoir: Dam Height: Depth: Surface Area: Current Capacity: Period of Use: Place of Use: <u>ID</u> <u>Acres</u> 1 17.80 2 5.80 3 0.60 4 25.40	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	ITCH A <u>Qtr Sec</u> SESENW SION # 1 S E-FEET OCTOBER Qtr Sec SESE S2SWSE SWSENE NESE	Sec 25 15 <u>Sec</u> 23 23 24 24 24	<u>Twp</u> 31N <u>Twp</u> 31N 31N 31N 31N 31N	3W <u><b>Rge</b></u> 3W 3W 3W 3W 3W	TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE					
Diversion Means: Ditch Name: Neservoir: Diversion to Reservoir: Dam Height: Depth: Surface Area: Current Capacity: Period of Use: Place of Use: <u>ID</u> <u>Acress</u> 1 17.80 2 5.80 3 0.60	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	ITCH A <u>Qtr Sec</u> SESENW SION # 1 S S FFEET O OCTOBER <u>Qtr Sec</u> SESE S2SWSE SWSENE	Sec 25 15 <u>Sec</u> 23 23 24	<u>Twp</u> 31N <u>Twp</u> 31N 31N 31N	3W <u><b>Rge</b></u> 3W 3W 3W	TOOLE TOOLE TOOLE TOOLE					
Diversion Means: Ditch Name: Neservoir: Diversion to Reservoir: Dam Height: Depth: Surface Area: Current Capacity: Period of Use: Place of Use: Depto: Place of Use: Depto: Surface Area: Current Capacity: Surface Area: Surface Area	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	ITCH A <u>Qtr Sec</u> SESENW SION # 1 S S FFEET O OCTOBER A <u>Qtr Sec</u> SESE S2SWSE SWSENE NESE E2NWSE NWNWSE NESESE	Sec 25 15 <u>Sec</u> 23 23 24 24 24 24 24 24 24	<u>Twp</u> 31N 31N 31N 31N 31N 31N 31N 31N 31N 31N	Rge   3W	TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE					
Diversion Means: Ditch Name: Neservoir: Diversion to Reservoir: Dam Height: Depth: Surface Area: Current Capacity: Period of Use: Place of Use: 1 17.80 2 5.80 3 0.60 4 25.40 5 18.40 6 4.40 7 0.50 8 9.60	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	ITCH A <u>Qtr Sec</u> SESENW SION # 1 S S FFEET O OCTOBER OCTOBER OCTOBER SESE S2SWSE SUSENE NESE E2NWSE NESESE W2SESE	Sec 25 15 <u>Sec</u> 23 23 24 24 24 24 24 24 24 24	<u>Twp</u> 31N 31N 31N 31N 31N 31N 31N 31N 31N 31N	Rge   3W	TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE					
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Diversion Means:   Ditch Name:   Ditch Name:   Reservoir:   Diversion to Reservation   Dam Height:   Depth:   Surface Area:   Current Capacity:   Period of Use:   1   1   1   2   5   1   5   1   5   1   5   1   5   1   5   1   5   1   0   2   5   1   1   1   2   5   18.40   6   4.40   7   0.50   8   9   32.70   10   0.80   11	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	A Qtr Sec SESENW SION # 1 S S FFEET OOCTOBER Qtr Sec SESE S2SWSE SWSENE NESE E2NWSE NESE E2NWSE NESESE W2SESE SWSE SUSE	Sec 25 15 <u>Sec</u> 23 23 24 24 24 24 24 24 24 24 24 24 24 24 24	<u>Twp</u> 31N 31N 31N 31N 31N 31N 31N 31N 31N 31N	Rge   3W	TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE					
Diversion Means:   Ditch Name:   Ditch Name:   Reservoir:   Diversion to Reservoir:   Diversion to Reservoir:   Dam Height:   Depth:   Surface Area:   Current Capacity:   Period of Use:   ID   Acres:   1   2   3   0.60   4   25.40   5   18.40   6   4.40   7   0.50   8   9   32.70   10   11   28.80   12	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	ITCH A <u>Qtr Sec</u> SESENW SION # 1 S S-FEET O OCTOBER A OTOBER OCTOBER SESE S2SWSE SUSENE NESE E2NWSE NESE E2NWSE NESE E2NWSE NESE SWSENE NESE SWSE	Sec 25 15 <u>Sec</u> 23 23 24 24 24 24 24 24 24 24 24 24 24 24 24	<u>Twp</u> 31N 31N 31N 31N 31N 31N 31N 31N 31N 31N	Rge   3W	TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE					
Diversion Means:   Ditch Name:   Ditch Name:   Reservoir:   Diversion to Reservation   Dam Height:   Depth:   Surface Area:   Current Capacity:   Period of Use:   1   1   1   2   5   1   5   1   5   1   5   1   5   1   5   1   5   1   0   2   5   1   1   1   2   5   18.40   6   4.40   7   0.50   8   9   32.70   10   0.80   11	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	A Qtr Sec SESENW SION # 1 S S FFEET OOCTOBER Qtr Sec SESE S2SWSE SWSENE NESE E2NWSE NESE E2NWSE NESESE W2SESE SWSE SUSE	Sec 25 15 <u>Sec</u> 23 23 24 24 24 24 24 24 24 24 24 24 24 24 24	<u>Twp</u> 31N 31N 31N 31N 31N 31N 31N 31N 31N 31N	Rge   3W	TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE					
Diversion Means:   Ditch Name:   Ditch Name:   Reservoir:   Diversion to Reservoir:   Dam Height:   Depth:   Surface Area:   Current Capacity:   Period of Use:   ID   Acres:   1   2   3   0.60   4   2   5   18.40   6   4.40   7   0.50   8   9   32.70   10   11   28.80   12   37.20   13	DAM FOWLER D ON STREAM Govt Lot Twoir: DIVER 25.00 FEET 15.00 FEET 2.00 ACRES 12.00 ACRES APRIL 15 to	A A Qtr Sec SESENW SION # 1 S S FFEET OCTOBER A Qtr Sec SESE S2SWSE SUS	Sec 25 15 23 23 23 24 24 24 24 24 24 24 24 24 24 24 24 24	<u>Twp</u> 31N 31N 31N 31N 31N 31N 31N 31N 31N 31N	Rge   3W   3W	TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE TOOLE					

Place of	f Use:							
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County	
16	3.00		NESENW	25	31N	3W	TOOLE	
17	16.40		W2SENW	25	31N	3W	TOOLE	
18	39.30		SWNW	25	31N	3W	TOOLE	
19	31.20		NENE	26	31N	3W	TOOLE	
20	10.90		N2NWNE	26	31N	3W	TOOLE	
21	35.20		SENE	26	31N	3W	TOOLE	
22	10.00		SESWNE	26	31N	3W	TOOLE	
Total:	415.00							
Geocodes/Valid:		21-4316-23-4-03-01-0000 - Y				21-4316-24-3-01-01-0000 - Y		
		21-4316-24-3-01-02-0000 - Y			:	21-4316-25-2-01-01-0000 - Y		
21-4316-25-2			2-03-01-0000 - Y			21-4316-26-1-01-01-0000 - Y		
21-4316-26-2-01-01-0000 - 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.

156087-00 156088-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/26/1988.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/19/1986.

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 BUREAU OF LAND MANAGEMENT LAND.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE OF MONTANA TRUST LANDS.

THE TOOLE COUNTY WATER RESOURCES SURVEY (1969) APPEARS TO INDICATE 104.80 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-053 , DATED 08/10/1979 , APPEARS TO INDICATE 100.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.