

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: 43B 193687-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MOUNTAIN SKY GUEST RANCH LLC
PO BOX 1219
EMIGRANT, MT 59027

Priority Date: MAY 15, 1910

Enforceable Priority Date: MAY 15, 1910

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 4.25 CFS

Maximum Volume: 429.82 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 122.00

Source Name: BIG 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		NENWNE	22	6S	7E	PARK

Period of Diversion: MAY 15 TO JULY 4

Diversion Means: HEADGATE

Ditch Name: MUTUAL DITCH

DITCH NAME: MUTUAL DITCH

Period of Use: MAY 15 to JULY 4

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	6.00		SWNESW	14	6S	7E	PARK
2	7.00		SENESEW	14	6S	7E	PARK
3	1.00		SWNWSW	14	6S	7E	PARK
4	3.00		SENWSW	14	6S	7E	PARK
5	10.00		NESWSW	14	6S	7E	PARK
6	9.00		NWSWSW	14	6S	7E	PARK
7	10.00		SWSWSW	14	6S	7E	PARK
8	10.00		SESWSW	14	6S	7E	PARK
9	8.00		NESESEW	14	6S	7E	PARK
10	7.00		NWSESEW	14	6S	7E	PARK
11	4.00		SWSESEW	14	6S	7E	PARK
12	1.00		SESESEW	14	6S	7E	PARK
13	2.00		NWNENW	23	6S	7E	PARK
14	4.00		SWNENW	23	6S	7E	PARK
15	7.00		NENWNW	23	6S	7E	PARK
16	10.00		NWNWNW	23	6S	7E	PARK
17	3.00		SWNWNW	23	6S	7E	PARK
18	5.00		SENWNW	23	6S	7E	PARK
19	10.00		NENENE	22	6S	7E	PARK
20	5.00		NWNENE	22	6S	7E	PARK
Total:	122.00						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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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.

193685-00 193686-00 193687-00 193688-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/28/83.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/18/92.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 275 RECEIVED 09/17/2001.

THE POINT OF DIVERSION MAY BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWNWNE SEC 22 TWP 06S RGE 07E PARK COUNTY. SEE DNRC MEMORANDUM DATED 05/26/87.

THE FLOW RATE MAY BE INCORRECT. THE FLOW RATE APPEARS TO BE 4.39 CFS. SEE DNRC FIELD INVESTIGATION REPORT DATED 08/24/88.

A LATE OBJECTION HAS BEEN FILED TO THE PRIORITY DATE OF THIS WATER RIGHT CLAIM. IT WILL BE RESOLVED DURING THE ADJUDICATION OF OBJECTIONS TO THE PRELIMINARY DECREE.