

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 40107-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** BOOMHOWER FAMILY LP  
1105 BEAR CREEK LOOP  
CAMERON, MT 59720-9735

**Priority Date:** MAY 1, 1889

**Enforceable Priority Date:** MAY 1, 1889

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 5.00 CFS

**Maximum Volume:**

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 216.40

**Source Name:** INDIAN 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		SWSWSE	26	8S	1E	MADISON

**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Ditch Name:** INDIAN CREEK DITCH

**Period of Use:** APRIL 15 to OCTOBER 19

**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	2.60		NESWSE	22	8S	1E	MADISON
2	7.60		NWSWSE	22	8S	1E	MADISON
3	5.20		NESESW	22	8S	1E	MADISON
4	10.00		NWSESW	22	8S	1E	MADISON
5	10.00		SWSESW	22	8S	1E	MADISON
6	10.00		SESESW	22	8S	1E	MADISON
7	10.00		SWSWSE	22	8S	1E	MADISON
8	9.70		SESWSE	22	8S	1E	MADISON
9	2.20		SWSESE	22	8S	1E	MADISON
10	9.00		NWNENE	27	8S	1E	MADISON
11	10.00		NENWNE	27	8S	1E	MADISON
12	10.00		NWNWNE	27	8S	1E	MADISON
13	10.00		NENENW	27	8S	1E	MADISON
14	10.00		NWNENW	27	8S	1E	MADISON
15	8.30		SWNENW	27	8S	1E	MADISON
16	10.00		SENENW	27	8S	1E	MADISON
17	10.00		SWNWNE	27	8S	1E	MADISON
18	10.00		SENWNE	27	8S	1E	MADISON
19	10.00		SWNENE	27	8S	1E	MADISON
20	2.60		SENENE	27	8S	1E	MADISON
21	0.50		NWSENW	27	8S	1E	MADISON
22	5.50		NESENW	27	8S	1E	MADISON
23	9.60		NWSWNE	27	8S	1E	MADISON
24	10.00		NESWNE	27	8S	1E	MADISON
25	10.00		NWSENE	27	8S	1E	MADISON
26	0.90		SWSWNE	27	8S	1E	MADISON
27	4.60		SESWNE	27	8S	1E	MADISON
28	8.10		SWSENE	27	8S	1E	MADISON

**Total:** 216.40

**Geocodes/Valid:** 25-0250-22-3-01-01-0000 - Y

25-0250-27-1-01-01-0000 - Y

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**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.

40107-00      40108-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/21/98.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 104186 RECEIVED 12/22/2000.

LLOYD J. SMITH, JR. FILED A LATE OBJECTION TO CORRECT THE POINT OF DIVERSION LEGAL DESCRIPTION TO THE SESWSE 26, 08S, 01E. THIS WILL BE HEARD AFTER PROPER NOTICE ON THE NEXT OBJECTION LIST.