

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 7054-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: MICHAEL B O NEILL
DECEASED
PO BOX 870
SAINT HELENA, CA 94574-0870

Priority Date: AUGUST 30, 1902
Enforceable Priority Date: AUGUST 30, 1902

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.27 CFS

Maximum Volume:
Climatic Area: 3 - MODERATE

Maximum Acres: 120.00

Source Name: SUCE 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		SENE SW	17	3S	10E	PARK

Period of Diversion: MARCH 1 TO DECEMBER 4

Diversion Means: HEADGATE

Ditch Name: SKILLMAN-CARTER DITCH

Period of Use: MARCH 1 to DECEMBER 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	80.00		S2NW	19	3S	10E	PARK
2	30.00		N2SW	19	3S	10E	PARK
3	10.00		W2W2NE	19	3S	10E	PARK
Total:	120.00						

Geocodes/Valid: 49-0704-19-1-01-04-0000 - Y 49-0704-19-2-10-01-0000 - Y
49-0704-19-2-10-05-0000 - Y 49-0704-19-2-30-10-0000 - Y
49-0704-19-3-01-10-0000 - Y 49-0704-19-3-01-15-0000 - Y
49-0704-19-3-01-20-0000 - 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.

7053-00 7054-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/15/86.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 1443 RECEIVED 03/13/2002.

OWNERSHIP UPDATE TYPE 608 # 11603 RECEIVED 11/24/2003.

Remarks:

THE TIMELY FILED OBJECTION OF DONALD FRANK WAS AMENDED BY BY THE CLAIMANT TO INCLUDE POINT OF DIVERSION. BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.