

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: 76GJ 146803-00 STATEMENT OF CLAIM
Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: ROCKING CHAIR RANCH INC
PO BOX 669
PHILIPSBURG, MT 59858

LANDUSKY C HERTZ
4055 HWY 1
PHILIPSBURG, MT 59858

Priority Date: JULY 1, 1961

Enforceable Priority Date: JULY 1, 1961

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 3.00 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 92.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF FLINT CREEK

Source Type: GROUNDWATER

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	23	7N	14W	GRANITE

Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: MAY 1 to OCTOBER 31

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	2.00		SENE	14	7N	14W	GRANITE
2	31.00		SENE	14	7N	14W	GRANITE
3	31.00		NESE	14	7N	14W	GRANITE
4	4.00		NWSW	14	7N	14W	GRANITE
5	24.00		SESW	14	7N	14W	GRANITE
Total:	92.00						

Geocodes/Valid: 46-1573-14-1-01-01-0000 - Y 46-1573-14-2-01-01-0000 - Y
46-1573-14-4-01-01-0000 - 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.

120579-00 120580-00 120581-00 146803-00

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 74170 RECEIVED 10/17/2008.

OWNERSHIP UPDATE TYPE DOR # 146442 RECEIVED 07/25/2016.

OBJECTORS WILLIAM VIETAR AND DAVID VIETAR WILL NOT WITHDRAW THEIR OBJECTIONS UNTIL AFTER ISSUANCE OF THE PRELIMINARY DECREE IN ORDER TO CONFIRM THAT THE SPECIFIED CHANGE HAS BEEN MADE.