

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:** 41H 150750-00 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Late Claim:** B

**Owners:** SPAULDING BROOK RANCH LLC  
PO BOX 3111  
BOZEMAN, MT 59772-3111

ANDY DOUMA  
3811 W CREEK RD  
BELGRADE, MT 59714

**Priority Date:** MAY 1, 1889

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

CLAIM FILED LATE 09/09/82 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

**Type of Historical Right:** DECREED

**Purpose (use):** STOCK

**Maximum Flow Rate:**

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

**Maximum Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** SPAULDING BROOK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	5	1N	4E GALLATIN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** MULTIPLE

2		E	2	5	1N	4E GALLATIN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** MULTIPLE

THE MEANS OF DIVERSION APPEARS TO BE A HEADGATE AND LIVESTOCK DRINKING DIRECT.

**Period of Use:** JANUARY 1 to DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	5	1N	4E	GALLATIN
2			E	2	5	1N	4E GALLATIN

**Geocodes/Valid:** -- NO VALID GEOCODES --

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

150747-00 150750-00

THE FOLLOWING ELEMENT WAS AMENDED BY ORDER OF THE MONTANA WATER COURT GRANTING A MOTION TO AMEND FILED UNDER SECTION 85-2-233(6)MCA: PLACE OF USE.

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**Remarks:**

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 70309 RECEIVED 05/22/2001.

OWNERSHIP UPDATE TYPE 608 # 11147 RECEIVED 10/23/2003.

OWNERSHIP UPDATE TYPE 608 # 13009 RECEIVED 03/02/2004.

CLAIM FILED LATE 09/09/82 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.