

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: 41N 153309-00 STATEMENT OF CLAIM
Version: 2 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: KURT J KAMMERZELL
PO BOX 342
CHESTER, MT 59522

LEVI A KOLSTAD
PO BOX 532
CHESTER, MT 59522-0532

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: DECEMBER 31, 1882

Enforceable Priority Date: DECEMBER 31, 1882

Type of Historical Right: USE

Purpose (use): STOCK

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Maximum Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING 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: WILLOW CREEK (TIBER RESERVOIR)

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		NW	2	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2		SW	2	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
3		NE	3	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4		NW	3	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
5		SE	3	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
6		SW	3	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
7		NE	4	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
8		NW	4	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
9		SE	4	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
10		SW	4	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
11		NE	5	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
12		SE	5	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
13		NE	9	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
14		NE	10	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
15		NW	10	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
16		SE	10	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
17		SW	10	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
18		NW	11	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
19		SW	11	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
20		NW	14	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
21		SW	14	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
22		NE	15	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
23		NW	15	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
24		SE	15	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
25		SW	15	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
26		S2SW	28	30N	5E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: DAM						
27		SW	29	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
28		NW	30	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
29		SE	30	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
30		SW	30	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
31		NE	31	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
32		NW	31	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
33		NE	32	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
34		NW	32	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
35		SE	32	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
36		SW	32	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
37		NW	33	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
38		SE	33	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
39		SW	33	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
40		SE	34	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
41		SW	34	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
42		SE	35	31N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
Period of Use: JANUARY 1 to DECEMBER 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			NW	2	30N	4E	LIBERTY
2			SW	2	30N	4E	LIBERTY
3			NE	3	30N	4E	LIBERTY
4			NW	3	30N	4E	LIBERTY
5			SE	3	30N	4E	LIBERTY
6			SW	3	30N	4E	LIBERTY
7			NE	4	30N	4E	LIBERTY
8			NW	4	30N	4E	LIBERTY
9			SE	4	30N	4E	LIBERTY
10			SW	4	30N	4E	LIBERTY
11			NE	5	30N	4E	LIBERTY
12			SE	5	30N	4E	LIBERTY
13			NE	9	30N	4E	LIBERTY
14			NE	10	30N	4E	LIBERTY
15			NW	10	30N	4E	LIBERTY
16			SE	10	30N	4E	LIBERTY
17			SW	10	30N	4E	LIBERTY
18			NW	11	30N	4E	LIBERTY
19			SW	11	30N	4E	LIBERTY
20			NW	14	30N	4E	LIBERTY
21			SW	14	30N	4E	LIBERTY
22			NE	15	30N	4E	LIBERTY
23			NW	15	30N	4E	LIBERTY
24			SE	15	30N	4E	LIBERTY
25			SW	15	30N	4E	LIBERTY
26			S2SW	28	30N	5E	LIBERTY
27			SW	29	31N	4E	LIBERTY
28			NW	30	31N	4E	LIBERTY
29			SE	30	31N	4E	LIBERTY
30			SW	30	31N	4E	LIBERTY
31			NE	31	31N	4E	LIBERTY
32			NW	31	31N	4E	LIBERTY
33			NE	32	31N	4E	LIBERTY
34			NW	32	31N	4E	LIBERTY
35			SE	32	31N	4E	LIBERTY
36			SW	32	31N	4E	LIBERTY
37			NW	33	31N	4E	LIBERTY
38			SE	33	31N	4E	LIBERTY
39			SW	33	31N	4E	LIBERTY
40			SE	34	31N	4E	LIBERTY
41			SW	34	31N	4E	LIBERTY
42			SE	35	31N	4E	LIBERTY

Geocodes/Valid: 48-4322-30-1-01-01-0000 - Y

Remarks:

THIS APPROPRIATION OF WATER TAKES WATER FROM THE MARIAS RIVER DRAINAGE (BASIN 41P) AND USES IT IN THE WILLOW CREEK DRAINAGE (BASIN 41N). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

THIS APPROPRIATION OF WATER USES WATER IN THE WILLOW CREEK BASIN (41N) AND MARIAS RIVER BASIN (41P). AS A RESULT IT WILL BE DECREED IN BOTH BASINS AND SUBJECT TO OBJECTION IN EITHER BASIN BEFORE BECOMING FINAL.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/12/1984.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/11/1985.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 19668 RECEIVED 02/22/2005.

OWNERSHIP UPDATE TYPE 608 # 37017 RECEIVED 05/08/2006.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OR ALL OF THE PLACE OF USE APPEARS TO BE ON FEDERAL LAND.