

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: 41P 153320-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
K J K FARMS INC
PO BOX 342
CHESTER, MT 59522

K WHEAT INC
PO BOX 342
CHESTER, MT 59522

KURT J KAMMERZELL
PO BOX 342
CHESTER, MT 59522

KARI KAMMERZELL
PO BOX 342
CHESTER, MT 59522

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: MARIAS RIVER (LAKE ELWELL)
Source Type: SURFACE WATER

ALSO KNOWN AS TIBER RESERVOIR

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	11	30N	3E	TOOLE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SW	11	30N	3E	TOOLE
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		SW	12	30N	3E	TOOLE
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4		NE	13	30N	3E	TOOLE
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

5		NW	13	30N	3E	TOOLE
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

6		SE	13	30N	3E	TOOLE
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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>
7		SW	13	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
8		NE	14	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
9		NW	14	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
10		SE	14	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
11		SW	14	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
12		NE	15	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
13		NW	15	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
14		SE	15	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
15		SW	15	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
16		SE	16	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
17		SW	16	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
18		NE	21	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
19		NW	21	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
20		SE	21	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
21		SW	21	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
22		NE	22	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
23		NW	22	30N	3E	TOOLE
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>
24		NW	23	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
25		NE	24	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
26		NW	24	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
27		SE	24	30N	3E	TOOLE
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
28		NE	15	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
29		NW	15	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
30		SE	15	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
31		SW	15	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
32		NE	16	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
33		NW	16	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
34		SE	16	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
35		SW	16	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
36		SE	17	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
37		SW	17	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
38		SE	18	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
39		SW	18	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
40		NE	19	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>
41		NW	19	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
42		SE	19	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
43		SW	19	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
44		NE	20	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
45		NW	20	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
46		SE	20	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
47		SW	20	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
48		NE	21	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
49		NW	21	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
50		SE	21	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
51		SW	21	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
52		NE	22	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
53		NW	22	30N	4E	LIBERTY
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
54		SW	22	30N	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</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	11	30N	3E	TOOLE
2			SW	11	30N	3E	TOOLE
3			SW	12	30N	3E	TOOLE
4			NE	13	30N	3E	TOOLE
5			NW	13	30N	3E	TOOLE
6			SE	13	30N	3E	TOOLE
7			SW	13	30N	3E	TOOLE
8			NE	14	30N	3E	TOOLE
9			NW	14	30N	3E	TOOLE

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>
10			SE	14	30N	3E	TOOLE
11			SW	14	30N	3E	TOOLE
12			NE	15	30N	3E	TOOLE
13			NW	15	30N	3E	TOOLE
14			SE	15	30N	3E	TOOLE
15			SW	15	30N	3E	TOOLE
16			SE	16	30N	3E	TOOLE
17			SW	16	30N	3E	TOOLE
18			NE	21	30N	3E	TOOLE
19			NW	21	30N	3E	TOOLE
20			SE	21	30N	3E	TOOLE
21			SW	21	30N	3E	TOOLE
22			NE	22	30N	3E	TOOLE
23			NW	22	30N	3E	TOOLE
24			NW	23	30N	3E	TOOLE
25			NE	24	30N	3E	TOOLE
26			NW	24	30N	3E	TOOLE
27			SE	24	30N	3E	TOOLE
28			NE	15	30N	4E	LIBERTY
29			NW	15	30N	4E	LIBERTY
30			SE	15	30N	4E	LIBERTY
31			SW	15	30N	4E	LIBERTY
32			NE	16	30N	4E	LIBERTY
33			NW	16	30N	4E	LIBERTY
34			SE	16	30N	4E	LIBERTY
35			SW	16	30N	4E	LIBERTY
36			SE	17	30N	4E	LIBERTY
37			SW	17	30N	4E	LIBERTY
38			SE	18	30N	4E	LIBERTY
39			SW	18	30N	4E	LIBERTY
40			NE	19	30N	4E	LIBERTY
41			NW	19	30N	4E	LIBERTY
42			SE	19	30N	4E	LIBERTY
43			SW	19	30N	4E	LIBERTY
44			NE	20	30N	4E	LIBERTY
45			NW	20	30N	4E	LIBERTY
46			SE	20	30N	4E	LIBERTY
47			SW	20	30N	4E	LIBERTY
48			NE	21	30N	4E	LIBERTY
49			NW	21	30N	4E	LIBERTY
50			SE	21	30N	4E	LIBERTY
51			SW	21	30N	4E	LIBERTY
52			NE	22	30N	4E	LIBERTY
53			NW	22	30N	4E	LIBERTY
54			SW	22	30N	4E	LIBERTY

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 37019 RECEIVED 05/08/2006.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/17/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CHRIS AND VIKI KOLSTAD.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/17/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ROBERT AND MICHELLE BEEDE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/17/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ALLROBB CO.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON BUREAU OF LAND MANAGEMENT.

Remarks:

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON THE STATE OF MONTANA.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON BUREAU OF RECLAMATION.