

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 159421-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
JAMES H CORNELL
429 COLONY BAY RD
LOMA, MT 59460

PETER M CORNELL
429 COLONY BAY RD
LOMA, MT 59460

MARY Y CORNELL
429 COLONY BAY RD
LOMA, MT 59460

Priority Date: OCTOBER 2, 1893
Enforceable Priority Date: OCTOBER 2, 1893

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 6.81 CFS
THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 179.90

Source Name: MARIAS RIVER
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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	NENW	12	25N	9E	CHOUTEAU

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: PUMP

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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	108.50			NE	12	25N	9E	CHOUTEAU
2	24.40			NENW	12	25N	9E	CHOUTEAU
3	3.00			NESENW	12	25N	9E	CHOUTEAU
4	22.50			NESE	12	25N	9E	CHOUTEAU
5	10.50			E2NWSE	12	25N	9E	CHOUTEAU
6	11.00			SWNW	7	25N	10E	CHOUTEAU
Total:	179.90							

Geocodes/Valid: 19-3619-12-1-01-01-0000 - Y 19-3620-07-2-03-01-0001 - Y

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/14/86.

THE CLAIMED FLOW RATE APPEARS TO EXCEED THE PUMP CAPACITY. AVAILABLE DATA SUPPORT A FLOW RATE OF 2400 GPM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 07/18/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES L & THERISE KIRKHAM, 6109 JENSEN RD, STANWOOD, WA 98292-9481.

Remarks:

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 1 TO OCTOBER 31.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER WAS FIRST PUT TO USE.