

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 159721-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** WANKEN FARMS  
% FRANCES WANKEN  
PO BOX 609  
CHESTER, MT 59522

**Priority Date:** JANUARY 11, 1934

**Enforceable Priority Date:** JANUARY 11, 1934

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 12.00 CFS

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

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 1,015.00

**Source Name:** MARIAS RIVER

**Source Type:** SURFACE WATER

**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		SENE SW	15	31N	3W	TOOLE

**Period of Diversion:** MAY 1 TO SEPTEMBER 30

**Diversion Means:** PUMP

**Period of Use:** MAY 1 to SEPTEMBER 30

**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	60.00		S2NE	10	31N	3W	TOOLE
2	150.00		SE	10	31N	3W	TOOLE
3	10.00		S2SWNW	11	31N	3W	TOOLE
4	5.00		W2NESW	11	31N	3W	TOOLE
5	35.00		SESW	11	31N	3W	TOOLE
6	80.00		W2SW	11	31N	3W	TOOLE
7	10.00		W2NWNE	14	31N	3W	TOOLE
8	60.00		S2NE	14	31N	3W	TOOLE
9	160.00		NW	14	31N	3W	TOOLE
10	280.00		S2	14	31N	3W	TOOLE
11	55.00		E2NE	15	31N	3W	TOOLE
12	10.00		E2NWNE	15	31N	3W	TOOLE
13	10.00		E2NESE	15	31N	3W	TOOLE
14	80.00		N2NE	23	31N	3W	TOOLE
15	10.00		E2NENW	23	31N	3W	TOOLE

**Total:** 1,015.00

**Geocodes/Valid:** 21-4316-10-2-01-01-0000 - Y      21-4316-11-4-01-01-0000 - Y  
21-4316-14-1-01-01-0000 - Y      21-4316-15-1-01-01-0000 - Y  
21-4316-23-1-01-01-0000 - Y      21-4316-23-2-01-01-0000 - Y

**Remarks:**

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

IMPLIED CLAIM NO. 159720-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

**Remarks:**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 41P-159721-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 07/23/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS, PO BOX 200701, HELENA, MT 59620-0701.

THE TOOLE COUNTY WATER RESOURCES SURVEY ( 1969 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 178-082 , DATED 08/10/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.