

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: 40J 160295-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: MARTIN E DAVEY
58575 COUNTY RD 34 S
HAVRE, MT 59501-8140

MICHAEL J DAVEY
58575 COUNTY RD 34 S
HAVRE, MT 59501-8140

Priority Date: DECEMBER 31, 1902
Enforceable Priority Date: DECEMBER 31, 1902

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 1.48 CFS

Maximum Volume: 120.00 AC-FT

THE VOLUME FOR 40J 160295-00, 40J 160296-00, AND 40J 30103852 IS CUMULATIVE. THE VOLUME FOR ALL THREE CLAIMS SHALL NOT EXCEED 120.00 ACRE-FEET.

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 40.00

Source Name: LITTLE BOXELDER CREEK
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		E2NWSW	26	32N	17E	HILL

Period of Diversion: APRIL 1 TO OCTOBER 1
Diversion Means: PUMP

2		NESWSW	26	32N	17E	HILL
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Period of Diversion: APRIL 1 TO OCTOBER 1
Diversion Means: PUMP

3		SENE	27	32N	17E	HILL
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Period of Diversion: APRIL 1 TO OCTOBER 1
Diversion Means: PUMP

POINT OF DIVERSION IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

Period of Use: APRIL 1 to OCTOBER 1

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	5.00		S2SWNW	26	32N	17E	HILL
2	10.00		N2NWSW	26	32N	17E	HILL
3	20.00		E2NE	27	32N	17E	HILL
4	5.00		E2NWNE	27	32N	17E	HILL
Total:	40.00						

Geocodes/Valid: 12-4442-26-2-03-02-0000 - Y 12-4442-26-3-02-01-0000 - Y
12-4442-27-1-01-01-0000 - Y

Remarks:

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THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

160295-00 160296-00 30103852

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/10/1991: PLACE OF USE, MAXIMUM ACRES.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 07/19/1991.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/30/2001.