

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 161018-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

JOAN M LAYNE
4689 WILLOW ROUNDS
VALIER, MT 59486

MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620-0701

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 10, 1909

Enforceable Priority Date: DECEMBER 10, 1909

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 25.00 CFS

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

Climatic Area: 3 - MODERATE

Maximum Acres: 720.00

Source Name: ABBOTT LAKE

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		NWNWNW	35	31N	5W	PONDERA

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: AN-8-3 CANAL

2- SECONDARY		SWSWNE	16	31N	4W	PONDERA
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: DITCH

Ditch Name: HAYMAKER DITCH 1

WATER DIVERTED FROM ABBOTT LAKE IS CONVEYED THROUGH AN-8-3 CANAL TO ABBOTT COULEE, WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE SWSWNE SEC 16 TWP 31N RGE 4W PONDERA COUNTY.

Period of Use: APRIL 15 to OCTOBER 15

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	80.00		S2SE	9	31N	4W	PONDERA
2	320.00		S2	15	31N	4W	PONDERA
3	320.00		E2	16	31N	4W	PONDERA
Total:	720.00						

Geocodes/Valid: 26-4313-09-3-03-01-0000 - Y 26-4313-15-1-01-03-0000 - Y
26-4313-15-2-02-01-0000 - Y 26-4313-15-4-03-01-0000 - Y
26-4313-16-1-04-03-0000 - Y 26-4313-16-4-02-01-0000 - Y

Remarks:

Remarks:

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.

161015-00 161016-00 161018-00 161020-00 161021-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/08/2004. FLOW CHART WILL BE ADDED WHEN MAP AND PORTIONAL INFORMATION IS RECEIVED FROM ATTORNEY.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 16877 RECEIVED 09/08/2004.

OWNERSHIP UPDATE TYPE 608 # 112932 RECEIVED 08/26/2013.

OWNERSHIP UPDATE TYPE DOR # 129458 RECEIVED 02/12/2015.

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

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON WILLOW ROUNDS CEMETERY, C/O PONDERA COUNTY.

THE PONDERA COUNTY WATER RESOURCES SURVEY (1964) APPEARS TO INDICATE 395.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-078, 178-080 , DATED 08/10/1979 , APPEARS TO INDICATE 318.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE (WOODEN STRUCTURE) CANNOT BE IDENTIFIED FROM AVAILABLE DATA.