

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 161138-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: CLARENCE J CONNELLY
1950 DEAN RD
VALIER, MT 59486-5304

DONALD J CONNELLY
8715 SULLVAN BRIDGE RD
VALIER, MT 59486-5302

LILLIAN R CONNELLY
DECEASED
PO BOX 1006
VALIER, MT 59486

Priority Date: JUNE 1, 1929

Enforceable Priority Date: JUNE 1, 1929

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 6.68 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: 560.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF ABBOTT COULEE

Source Type: SURFACE WATER

THE SOURCE APPEARS TO COLLECT WASTE & SEEPAGE FROM THE "AN-8-3 CANAL".

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 | | SESENE | 23 | 31N | 5W | PONDERA |

Period of Diversion: JUNE 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: JUNE 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 | 100.00 | | SE | 23 | 31N | 5W | PONDERA |
| 2 | 66.00 | | SW | 23 | 31N | 5W | PONDERA |
| 3 | 9.00 | | S2S2NW | 24 | 31N | 5W | PONDERA |
| 4 | 18.00 | | W2W2SE | 24 | 31N | 5W | PONDERA |
| 5 | 133.00 | | SW | 24 | 31N | 5W | PONDERA |
| 6 | 136.00 | | NE | 26 | 31N | 5W | PONDERA |
| 7 | 98.00 | | NW | 26 | 31N | 5W | PONDERA |
| Total: | 560.00 | | | | | | |

| | | |
|------------------------|-----------------------------|-----------------------------|
| Geocodes/Valid: | 26-4312-23-1-04-04-0000 - Y | 26-4312-24-2-03-01-0000 - Y |
| | 26-4312-26-1-01-01-0000 - Y | 26-4312-26-2-01-01-0000 - Y |
| | 26-4312-26-2-02-01-0000 - Y | 26-4312-26-2-03-01-0000 - Y |

Remarks:

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/24/1986.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/12/1992.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/20/1992.

Remarks:

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/08/2014, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY DONALD CONNELLY, 8715 SULLIVAN BRIDGE RD, VALIER, MT, 59486-5302.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/08/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CONNELLY DONALD J & WENDY L JTROS, 8715 SULLIVAN BRIDGE RD, VALIER, MT 59486-5302.

USDA AERIAL PHOTOGRAPH NO(S). 178-077 , DATED 08/10/1979 , APPEARS TO INDICATE 450.64 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

IT APPEARS THAT AN UNAUTHORIZED POST-JUNE 30, 1973 CHANGE IN POINT OF DIVERSION MAY BE REFLECTED IN THIS CLAIM.