

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:** 43A 167036-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** JUDITH L FRASER  
338 COOPER LN  
HAMILTON, MT 59840-3327

**Priority Date:** JULY 1, 1898  
**Enforceable Priority Date:** JULY 1, 1898

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.50 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:** 21.50

**Source Name:** CACHE 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		SWNESW	16	2N	7E	GALLATIN

**Period of Diversion:** MAY 15 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Ditch Name:** ARMSTRONG DITCHES

2		NENESE	9	2N	7E	GALLATIN
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**Period of Diversion:** MAY 15 TO OCTOBER 19

**Diversion Means:** HEADGATE

DITCH NAME: ARMSTRONG DITCHES

**Period of Use:** MAY 15 to OCTOBER 19

**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	21.50		NWNE	10	2N	7E	GALLATIN

**Total:** 21.50

**Geocodes/Valid:** 06-1112-10-1-01-01-0000 - Y

**Remarks:**

A FIELD INVESTIGATION REPORT CAN BE FOUND IN WATER COURT CASE 43A-26.

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 110856 RECEIVED 05/30/2013.

OWNERSHIP UPDATE TYPE DOR # 126464 RECEIVED 10/29/2014.

THIS CLAIM PRESENTS ISSUES OF FACT AND LAW THAT MAY BE ADDRESSED AT THE OBJECTION STAGE. IT APPEARS THAT 0.0 ACRES ARE ACTUALLY IRRIGATED AND PROBLEMS COULD EXIST WITH FLOW RATE AND VOLUME. TO ASSURE THE ORDERLY ADMINISTRATION OF WATER RIGHTS, THE WATER COURTS WILL SET A HEARING TO DETERMINE THESE ISSUES IF NO OBJECTIONS ARE MADE.