

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: 42A 171879-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: BAILEY CATTLE CO LLC
31 BAILEY LN
FORSYTH, MT 59327

Priority Date: DECEMBER 31, 1910
Enforceable Priority Date: DECEMBER 31, 1910

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 74.00 GPM

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

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 80.00

Source Name: COTTONWOOD 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	2	SEWNNE	5	2S	41E	ROSEBUD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: DIVERSION DAM

Period of Use: JANUARY 1 to DECEMBER 31

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	21.00		NWNW	4	2S	41E	ROSEBUD
2	13.00		SWNW	4	2S	41E	ROSEBUD
3	1.00		NWNWSW	4	2S	41E	ROSEBUD
4	13.00		S2NENE	5	2S	41E	ROSEBUD
5	4.00		SEWNNE	5	2S	41E	ROSEBUD
6	25.00		SENE	5	2S	41E	ROSEBUD
7	3.00		N2NESE	5	2S	41E	ROSEBUD
Total:	80.00						

Geocodes/Valid: 29-0840-04-2-01-03-0000 - Y 29-0840-05-1-01-01-1422 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 45633 RECEIVED 03/19/2007.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/20/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JOSEPH EGAN.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 42A 171879-00, 42A 174380-00.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 1 TO OCTOBER 31.