

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 172026-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
WESLEY L ASHLEY
588 ROSEBUD CREEK RD
FORSYTH, MT 59327

LESLI M ASHLEY
588 ROSEBUD CREEK RD
FORSYTH, MT 59327

LANELL ASHLEY
588 ROSEBUD CREEK RD
FORSYTH, MT 59327

CAROL L ASHLEY
588 ROSEBUD CREEK RD
FORSYTH, MT 59327

ALDEN L ASHLEY
588 ROSEBUD CREEK RD
FORSYTH, MT 59327

RED CANYON RANCH INC
588 ROSEBUD CREEK RD
FORSYTH, MT 59327

ELIZABETH L HORN
588 ROSEBUD CREEK RD
FORSYTH, MT 59327

Priority Date: SEPTEMBER 15, 1908
Enforceable Priority Date: SEPTEMBER 15, 1908

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.16 CFS
THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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

Climatic Area: 1 - HIGH

Maximum Acres: 57.00

Source Name: ROSEBUD 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		SWSESW	21	5N	42E	ROSEBUD

Period of Diversion: MARCH 1 TO DECEMBER 1
Diversion Means: DIKE

Period of Use: MARCH 1 to DECEMBER 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	17.00		E2SE	20	5N	42E	ROSEBUD
2	40.00		SW	21	5N	42E	ROSEBUD
Total:	57.00						

Geocodes/Valid: 29-1445-20-2-01-01-1519 - Y 29-1445-21-3-01-01-0000 - 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.

172026-00 172134-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/15/1994: MAXIMUM ACRES, PLACE OF USE, PRIORITY DATE.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/18/2000.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/05/1991.

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

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS MARCH 15 TO NOVEMBER 15.

THE ROSEBUD COUNTY WATER RESOURCES SURVEY (1948) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
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