

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 172027-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

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

ALDEN L ASHLEY
588 ROSEBUD CREEK RD
FORSYTH, MT 59327

CAROL 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

ELIZABETH L HORN
588 ROSEBUD CREEK RD
FORSYTH, MT 59327

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

Priority Date: AUGUST 16, 1894
Enforceable Priority Date: AUGUST 16, 1894

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 21.84 CFS

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: 65.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF 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		SWSWSW	16	5N	42E	ROSEBUD

Period of Diversion: MARCH 1 TO DECEMBER 1

Diversion Means: PUMP

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	6.00		W2W2	16	5N	42E	ROSEBUD
2	59.00		E2	17	5N	42E	ROSEBUD
Total:	65.00						

Geocodes/Valid: 29-1445-16-2-02-02-1140 - Y 29-1445-17-1-01-01-0000 - 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.

172027-00 172132-00

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.

AN AMENDMENT WAS SUBMITTED 03/15/1994 TO AMEND THE SOURCE, MEANS OF DIVERSION, PLACE OF USE, FLOW RATE AND TYPE OF RIGHT . THE AMENDMENT SUBSTANTIALLY CHANGES THE ORIGINALLY FILED STATEMENT OF CLAIM.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE EQUALS 150 GPM PER ACRE.

THE CLAIMED PURPOSE (USE) COULD NOT BE IDENTIFIED DUE TO LACK OF DATA.

THE TYPE OF IRRIGATION SYSTEM CANNOT BE CONFIRMED. IT IS UNCLEAR IF THIS RIGHT SHOULD BE DEFINED BY FLOW RATE OR VOLUME.

THE CLAIMED SOURCE MAY BE QUESTIONABLE. BASED ON AVAILABLE DATA, THE SOURCE MAY BE SURFACE WATER FROM THE UNNAMED TRIBUTARY OF ROSEBUD CREEK.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A FILED RIGHT.