

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 173778-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: ROBERTA A BUNTING
3431 C 1/2 RD
PALISADE, CO 81526

MARTIN BUNTING
3431 C 1/2 RD
PALISADE, CO 81526

PUMPKIN FISH CATTLE CO LLC
2447 64TH AVE SE
MERCER ISLAND, WA 98040

Priority Date: JULY 27, 1896
Enforceable Priority Date: JULY 27, 1896

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 21.39 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: 194.00

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		SE	24	4N	42E	ROSEBUD

Period of Diversion: APRIL 15 TO AUGUST 31
Diversion Means: PUMP

2		SW	19	4N	43E	ROSEBUD
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Period of Diversion: APRIL 15 TO AUGUST 31
Diversion Means: PUMP

3		NW	30	4N	43E	ROSEBUD
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Period of Diversion: APRIL 15 TO AUGUST 31
Diversion Means: PUMP

PUMP IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

Period of Use: APRIL 15 to AUGUST 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	42.00		SE	24	4N	42E	ROSEBUD
2	86.00		SW	19	4N	43E	ROSEBUD
3	5.00		NWNE	30	4N	43E	ROSEBUD
4	61.00		NW	30	4N	43E	ROSEBUD
Total:	194.00						

Geocodes/Valid: 29-1342-24-2-01-01-1480 - Y 29-1343-19-3-01-01-0000 - Y
29-1343-30-2-01-01-0000 - Y

Remarks:

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 08/04/1994.

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

OWNERSHIP UPDATE RECEIVED

Remarks:

OWNERSHIP UPDATE TYPE DOR # 98811 RECEIVED 04/27/2012.

OWNERSHIP UPDATE TYPE DOR # 115360 RECEIVED 11/14/2013.

OWNERSHIP UPDATE TYPE DOR # 129527 RECEIVED 03/06/2015.

THE CLAIMED FLOW RATE APPEARS TO EXCEED THE CAPACITY OF THE DIVERSION AND CONVEYANCE FACILITIES.

THE CLAIMED FLOW RATE IS 49.48 GPM PER ACRE. THE CLAIMED FLOW RATE CANNOT BE CONFIRMED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE FLOW RATE DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED FLOW RATE.

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