

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:** 42C 179028-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** HARRIS BUTTES RANCH INC  
PO BOX 728  
MILES CITY, MT 59301

TONN LAND AND CATTLE INC  
5427 WALTER HAGEN DR  
BILLINGS, MT 59106-1006

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** DECEMBER 31, 1883

**Enforceable Priority Date:** DECEMBER 31, 1883

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** WATER SPREADING

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

**Maximum Volume:** 74.00 AC-FT  
THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE GUIDELINE OF 2.0 ACRE FEET PER YEAR. THIS VOLUME MAY BE CONTESTED BY PROPER OBJECTION.

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 37.00

**Source Name:** KIRKPATRICK DRAW

**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		NESWSE	4	2N	49E	CUSTER

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DIKE

**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	8.00		NESWSE	4	2N	49E	CUSTER
2	3.00		NWSESE	4	2N	49E	CUSTER
3	10.00		SENWSE	4	2N	49E	CUSTER
4	3.00		SENESE	4	2N	49E	CUSTER
5	5.00		NENWSE	4	2N	49E	CUSTER
6	8.00		NWNESE	4	2N	49E	CUSTER
<b>Total:</b>	<b>37.00</b>						

**Geocodes/Valid:** -- NO VALID GEOCODES --

**Remarks:**

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/13/1997.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/24/2000.