

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 179557-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
RONALD D MAY  
5445 HWY 93 W  
WHITEFISH, MT 59937  
  
SARAH L MAY  
5445 HWY 93 W  
WHITEFISH, MT 59937  
  
HELEN WOODS  
10 OTTER CREEK RD  
ASHLAND, MT 59003

**Priority Date:** MARCH 21, 1898  
**Enforceable Priority Date:** MARCH 21, 1898

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION  
**Irrigation Type:** NATURAL SUBIRRIGATION

**Maximum Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE OF NATURAL SUBIRRIGATION.

**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:** 253.00

**Source Name:** SUBIRRIGATION, UNNAMED TRIBUTARY OF TONGUE RIVER  
**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	28	3S	44E	ROSEBUD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> SUBIRRIGATION						
2		S2SE	29	3S	44E	ROSEBUD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> SUBIRRIGATION						
3		NE	32	3S	44E	ROSEBUD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> SUBIRRIGATION						
4		S2	32	3S	44E	ROSEBUD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> SUBIRRIGATION						
5		NW	33	3S	44E	ROSEBUD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> SUBIRRIGATION						
6		SW	33	3S	44E	ROSEBUD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> SUBIRRIGATION						

**Period of Use:** JANUARY 1 to DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		SWSWSW	28	3S	44E	ROSEBUD
2	40.00		S2SE	29	3S	44E	ROSEBUD
3	50.00		NE	32	3S	44E	ROSEBUD
4	100.00		S2	32	3S	44E	ROSEBUD

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5	40.00		NW	33	3S	44E	ROSEBUD
6	18.00		SW	33	3S	44E	ROSEBUD
<b>Total:</b>	253.00						

<b>Geocodes/Valid:</b>	29-0744-28-3-03-01-1002 - Y	29-0744-29-4-04-04-1021 - Y
	29-0744-32-1-01-04-0000 - Y	29-0744-32-4-01-02-0000 - Y
	29-0744-33-1-01-01-1316 - Y	29-0744-33-3-02-01-0000 - Y

**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.

179557-00 179558-00 179559-00

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

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE NORTHERN CHEYENNE INDIAN RESERVATION.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 130223 RECEIVED 04/03/2015.

OWNERSHIP UPDATE TYPE DOR # 130720 RECEIVED 04/15/2015.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON NORTHERN CHEYENNE TRIBAL LAND.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON TONGUE RIVER WITH A PRIORITY DATE PREDATING CASE NO. 2809, CUSTER COUNTY.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.