

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: 41D 182351-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: JOHN E SEMMENS
12 HARRISON AVE
HELENA, MT 59601-6234
JOSEPH A HERZOG
2008 BANKS ST
BUTTE, MT 59701-6302

Priority Date: MAY 1, 1914
Enforceable Priority Date: MAY 1, 1914

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 173.25 GPM

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

Climatic Area: 5 - LOW

Maximum Acres: 8.50

Source Name: GROUSE 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		NENENW	10	2S	12W	BEAVERHEAD

Period of Diversion: APRIL 1 TO NOVEMBER 4

Diversion Means: HEADGATE

Period of Use: APRIL 1 to NOVEMBER 4

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	2.50		NENENE	10	2S	12W	BEAVERHEAD
2	2.00		NWNENE	10	2S	12W	BEAVERHEAD
3	2.00		SENE	10	2S	12W	BEAVERHEAD
4	2.00		SWNE	10	2S	12W	BEAVERHEAD
Total:	8.50						

Geocodes/Valid: 18-0776-02-3-01-01-0000 - Y 18-0776-10-1-01-01-0000 - 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.

182351-00 182384-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182351-00 182352-00 182353-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/26/1999: MAXIMUM ACRES,

Remarks:

PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/06/1999: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING WATER RIGHT CLAIMS ARE THE SUBJECT OF A WATER DISTRIBUTION AGREEMENT: 41D 182351-00, 41D 182352-00, 41D 182353-00, 41D 182384-00, 41D 182385-00, 41D 182386-00, 41D 195272-00, AND 41D 195273-00.

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

IMPLIED CLAIM NO. 182384-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/26/1991.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 84429 RECEIVED 12/27/2010.