

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:** 40A 184530-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** DIAMOND LEGACY LTD PARTNERSHIP  
PO BOX 1908  
HARLOWTON, MT 59036-1908

**Priority Date:** NOVEMBER 16, 1910

**Enforceable Priority Date:** NOVEMBER 16, 1910

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 2.18 CFS

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

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 1,600.00

**Source Name:** AMERICAN FORK

**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		NWSWSE	6	7N	16E	WHEATLAND

**Period of Diversion:** MAY 15 TO OCTOBER 19

**Diversion Means:** HEADGATE

2		NWNWNE	23	7N	15E	WHEATLAND
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**Period of Diversion:** MAY 15 TO OCTOBER 19

**Diversion Means:** HEADGATE

3		SWNWSW	23	7N	15E	WHEATLAND
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**Period of Diversion:** MAY 15 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Period of Use:** MAY 15 to OCTOBER 19

**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	80.00		N2NE	13	7N	15E	WHEATLAND
2	5.00		NESENE	13	7N	15E	WHEATLAND
3	10.00		NWSENE	13	7N	15E	WHEATLAND
4	5.00		SWSENE	13	7N	15E	WHEATLAND
5	40.00		SWNE	13	7N	15E	WHEATLAND
6	5.00		SENEENW	13	7N	15E	WHEATLAND
7	20.00		E2SENEW	13	7N	15E	WHEATLAND
8	3.00		NWSENEW	13	7N	15E	WHEATLAND
9	3.00		SWSENEW	13	7N	15E	WHEATLAND
10	5.00		NENWSE	13	7N	15E	WHEATLAND
11	10.00		NWNWSE	13	7N	15E	WHEATLAND
12	5.00		SWNWSE	13	7N	15E	WHEATLAND
13	10.00		NENESW	13	7N	15E	WHEATLAND
14	3.00		NWNESW	13	7N	15E	WHEATLAND
15	5.00		SENESW	13	7N	15E	WHEATLAND
16	5.00		SWNESW	13	7N	15E	WHEATLAND
17	20.00		NENW	5	7N	16E	WHEATLAND
18	76.00		S2NW	5	7N	16E	WHEATLAND
19	35.00		N2SW	5	7N	16E	WHEATLAND
20	10.00		SENE	6	7N	16E	WHEATLAND
21	15.00		NESE	6	7N	16E	WHEATLAND
22	20.00		S2SE	6	7N	16E	WHEATLAND
23	610.00			8	7N	16E	WHEATLAND

**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>
24	600.00			9	7N	16E	WHEATLAND
<b>Total:</b>	1,600.00						

<b>Geocodes/Valid:</b>	44-1605-13-1-01-01-0000 - Y	44-1606-05-2-01-01-0000 - Y
	44-1606-06-4-01-01-0000 - Y	44-1606-08-1-01-01-0000 - Y
	44-1606-09-1-01-01-0000 - 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.

184530-00 184535-00 184536-00 191109-00 214232-00

THE FLOW RATE, MAXIMUM ACRES, POINT OF DIVERSION, AND PLACE OF USE WERE AMENDED BY THE CLAIMANT ON 3/28/2005 PURSUANT TO SECTION 85-2-233(6), MCA.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/12/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/16/99.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 12021 RECEIVED 12/08/2003.

OWNERSHIP UPDATE TYPE DOR # 138022 RECEIVED 09/16/2015.

OWNERSHIP UPDATE TYPE DOR # 140831 RECEIVED 02/16/2016.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.