

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: 40M 186455-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners:

CLAIR W WATERS
PO BOX 1024
MALTA, MT 59538

KATHLEEN F WATERS
PO BOX 1024
MALTA, MT 59538

AMERICAN PRAIRIE FOUNDATION
PO BOX 908
BOZEMAN, MT 59771-0908

OWNER KATHLEEN F WATERS RETAINED. CONTRACT FOR DEED INTEREST.

OWNER CLAIR W WATERS RETAINED. CONTRACT FOR DEED INTEREST.

Priority Date: JULY 28, 1945

Enforceable Priority Date: JULY 28, 1945

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 240.00 AC-FT

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 108.40

Source Name: LONE TREE CREEK

Source Type: SURFACE WATER

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		SENENE	1	25N	28E	PHILLIPS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

MEANS OF DIVERSION INCLUDES A HEADGATE.

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SENENE	1	25N	28E	PHILLIPS

Diversion to Reservoir: DIVERSION # 1

Dam Height: 38.00 FEET

Surface Area: 21.00 ACRES

Current Capacity: 120.00 ACRE-FEET

THE DAM EXTENDS INTO THE NENENE SEC 1 TWP 25N RGE 28E PHILLIPS COUNTY.

SEE THE CORP OF ENGINEERS DAM INVENTORY WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: APRIL 1 to OCTOBER 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	3.40	2	N2NWNE	6	25N	29E	PHILLIPS
2	18.20	3	NENW	6	25N	29E	PHILLIPS
3	15.80		S2NW	6	25N	29E	PHILLIPS
4	62.80		S2SE	31	26N	29E	PHILLIPS
5	8.20		SESW	31	26N	29E	PHILLIPS
Total:	108.40						

Geocodes/Valid: 11-3643-06-2-01-01-0000 - Y

11-3767-31-3-01-01-0000 - 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.

186438-00 186442-00 186443-00 186455-00 30051843

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME RESERVOIR.

186455-00 196949-00 30051843

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/13/1995: PLACE OF USE, MAXIMUM ACRES.

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

IMPLIED CLAIM NO. 40M 30051843 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 7529 RECEIVED 03/07/2003.

OWNERSHIP UPDATE TYPE 608 # 67072 RECEIVED 06/08/2009.