

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:** 43B 191077-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** MORNINGSTAR RANCH LLC  
7418 BRIAR  
PRAIRIE VILLAGE, KS 66208

**Priority Date:** JUNE 30, 1899

**Enforceable Priority Date:** JUNE 30, 1899

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 3.20 CFS

**Maximum Volume:**

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 66.00

**Source Name:** BIG 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		NWNWNE	22	6S	7E	PARK

**Period of Diversion:** MAY 1 TO OCTOBER 4

**Diversion Means:** HEADGATE

**Ditch Name:** MUTUAL DITCH

2		SWNWSW	8	6S	8E	PARK
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**Period of Diversion:** MAY 1 TO OCTOBER 4

**Diversion Means:** DITCH

DITCH NAME FOR DIVERSION NO. 01 IS: MUTUAL DITCH

POINT OF DIVERSION NO. 02 IS SECONDARY DITCH OFF OF THE MUTUAL DITCH, AT THE PLACE OF USE, WHERE THE FLOW RATE IS MEASURED PURSUANT TO THE BIG CREEK DECREE, CAUSE NO. 3028, PARK COUNTY.

**Period of Use:** MAY 1 to OCTOBER 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	66.00		SW	8	6S	8E	PARK

**Total:** 66.00

PLACE OF USE IS LOCATED IN CERTIFICATE OF SURVEY NOS. 45 AND 60, PARK COUNTY. LOTS 1, 2, 3 AND 4.

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

**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.

191077-00 191080-00

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.

191073-00 191074-00 191075-00 191077-00

THIS CLAIM IS SUBJECT TO A PRIVATE AGREEMENT CONTAINED IN THE STIPULATION FILED 05/11/95

**Remarks:**

LOCATED IN THE MASTER'S REPORT IN THE CLAIM FILE.

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 15056 RECEIVED 07/01/2004.