

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 194262-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: JAMES C KENNEDY
PO BOX 530255
ATLANTA, GA 30353

Priority Date: MAY 25, 1901
Enforceable Priority Date: MAY 25, 1901

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 3.13 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: 293.00

Source Name: BIG HOLE RIVER
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		SENWSE	21	4S	7W	MADISON

Period of Diversion: APRIL 15 TO OCTOBER 19

Diversion Means: HEADGATE

Ditch Name: PAGEVILLE CANAL

WATER DIVERTED FROM BIG HOLE RIVER IS CONVEYED TO CALIFORNIA SLOUGH WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE SWSWNW SEC 17 TWP 4S RGE 6W MADISON COUNTY.

DITCH NAME: PAGEVILLE CANAL

Period of Use: APRIL 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	79.00		S2NE	8	4S	6W	MADISON
2	36.00		SENW	8	4S	6W	MADISON
3	12.00		E2SWNW	8	4S	6W	MADISON
4	3.00		NESE	8	4S	6W	MADISON
5	22.00		NWSE	8	4S	6W	MADISON
6	35.00		NESW	8	4S	6W	MADISON
7	13.00		N2NESW	8	4S	6W	MADISON
8	22.00		NWSW	8	4S	6W	MADISON
9	28.00		SWSW	8	4S	6W	MADISON
10	23.00		SWNW	9	4S	6W	MADISON
11	2.00		NWNWSW	9	4S	6W	MADISON
12	18.00		W2W2NW	17	4S	6W	MADISON
Total:	293.00						

Geocodes/Valid: 25-0592-09-2-01-10-1000 - Y

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/02/2001: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/1993: PLACE OF USE, MAXIMUM ACRES.

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

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D)

Remarks:

AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/04/2001.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 13003 RECEIVED 03/01/2004.

OWNERSHIP UPDATE TYPE 608 # 44029 RECEIVED 01/22/2007.

OWNERSHIP UPDATE TYPE DOR # 99077 RECEIVED 11/04/2011.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 184.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.