

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 194484-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: JERRY M HAACK
4604 ARGYLE LN
ARGYLE, TX 76226-1562
DAVID P ASHCRAFT
80 UTLEY LN
TWIN BRIDGES, MT 59754-9736
CINDY SUE ASHCRAFT
80 UTLEY LN
TWIN BRIDGES, MT 59754-9736

Priority Date: DECEMBER 31, 1881

Enforceable Priority Date: DECEMBER 31, 1881

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 3.41 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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: 319.00

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 | | NESESW | 11 | 4S | 7W | MADISON |

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: OWSLEY SLOUGH

WATER RELEASED FROM BIG HOLE RIVER USES OWSLEY SLOUGH AND SCHOOLHOUSE SLOUGH AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

DITCH NAME: OWSLEY SLOUGH

Period of Use: APRIL 1 to OCTOBER 31

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 | 70.60 | | E2SE | 7 | 4S | 6W | MADISON |
| 2 | 78.40 | | W2SE | 7 | 4S | 6W | MADISON |
| 3 | 80.00 | | E2SW | 7 | 4S | 6W | MADISON |
| 4 | 90.00 | | W2SW | 7 | 4S | 6W | MADISON |
| Total: | 319.00 | | | | | | |

Geocodes/Valid: 25-0592-07-3-01-01-0000 - Y 25-0592-07-4-02-01-0000 - Y
25-0592-07-4-02-10-0000 - Y

Remarks:

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.

194481-00 194482-00 194483-00 194484-00 194485-00 194486-00 194489-00

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.

194484-00 215140-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/4/2005: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/2003: PLACE OF USE, MAXIMUM ACRES.

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 10/14/2003.

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 10/16/1989.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 641 # 106267 RECEIVED 12/21/2012.

OWNERSHIP UPDATE TYPE DOR # 106657 RECEIVED 12/28/2012.

OWNERSHIP UPDATE TYPE DOR # 130007 RECEIVED 02/27/2015.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 204.70 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-79 , DATED 9/7/1979 , APPEARS TO INDICATE 283.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.