

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 194487-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: SHAWN M KELLY
172 PENNINGTON RD
TWIN BRIDGES, MT 59754-9729

MARDI E ELFORD
170 PENNINGTON LANE
PO BOX 448
TWIN BRIDGES, MT 59754-0448

KALLI D ELFORD
5301 ONYX BLVD
BILLINGS, MT 59106-3216

Priority Date: APRIL 11, 1899
Enforceable Priority Date: APRIL 11, 1899

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.65 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: 70.00

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</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSE	21	4S	7W	MADISON

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: PAGEVILLE CANAL
DITCH NAME: PAGEVILLE CANAL

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	1.00		NENESE	11	4S	7W	MADISON
2	9.00		SENESE	11	4S	7W	MADISON
3	31.00		SESE	11	4S	7W	MADISON
4	9.00		SWNWSW	12	4S	7W	MADISON
5	10.00		NWSWSW	12	4S	7W	MADISON
6	10.00		SWSWSW	12	4S	7W	MADISON
Total:	70.00						

Geocodes/Valid: 25-0591-11-4-01-01-0000 - 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.

194487-00 194490-00

Remarks:

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.

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

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 6/21/2004.

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

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 641 # 129661 RECEIVED 11/14/2014.

OWNERSHIP UPDATE TYPE DOR # 132310 RECEIVED 04/09/2015.

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 152897 RECEIVED 02/20/2017.