

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: 41J 194507-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: GILES RANCH LLC
925 W LEWIS ST
LIVINGSTON, MT 59047-2925

Priority Date: JULY 1, 1868
Enforceable Priority Date: JULY 1, 1868

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 7.50 CFS
Maximum Volume: PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 308.88
Source Name: GIPSY 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		NENENW	34	9N	4E	MEAGHER

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: DAM

WATER DIVERTED FROM GIPSY CREEK IS CONVEYED TO THOMPSON GULCH WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NENESW SEC 22 TWP 9N RGE 4E MEAGHER COUNTY.

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENENW	34	9N	4E	MEAGHER

Diversion to Reservoir: DIVERSION # 1

Dam Height: 20.00 FEET
Depth: 17.00 FEET
Surface Area: 7.50 ACRES
Current Capacity: 51.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: MAY 1 to OCTOBER 30

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	100.30			14	9N	4E	MEAGHER
2	106.24		E2	15	9N	4E	MEAGHER
3	10.99		NENE	22	9N	4E	MEAGHER
4	91.35		E2	23	9N	4E	MEAGHER
Total:	308.88						

Geocodes/Valid: 47-1796-14-2-01-01-0000 - Y 47-1796-15-1-01-01-0000 - Y
47-1796-22-1-01-01-0000 - Y 47-1796-23-2-01-01-0000 - 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.

194507-00 194508-00 194509-00 194510-00 194511-00

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/26/2006: MAX ACRES, PLACE OF USE.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/16/1999.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/01/1988.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 34665 RECEIVED 03/20/2006.

.....
FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE MEAGHER COUNTY WATER RESOURCES SURVEY (1950) APPEARS TO INDICATE 96.76 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.
.....