

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 195264-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

JOHN L LAKE JR
514 LEMOYNE DR
DAUPHIN ISLAND, AL 36528-4404

YELLOWSTONE STAGE STOP ESTATES WATER USERS ASSN
514 LEYMOYNE DR
DAUPHIN ISLAND, AL 36528

MOUNTAIN SKY GUEST RANCH LLC
PO BOX 1219
EMIGRANT, MT 59027

Priority Date: JUNE 30, 1882

Enforceable Priority Date: JUNE 30, 1882

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 3.13 CFS

Maximum Volume: 1,125.00 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 333.00

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		SWNWNE	22	6S	7E	PARK

Period of Diversion: MAY 1 TO NOVEMBER 4

Diversion Means: HEADGATE

Ditch Name: MUTUAL DITCH

2		SENE	22	6S	7E	PARK
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Period of Diversion: MAY 1 TO NOVEMBER 4

Diversion Means: HEADGATE

Ditch Name: HOOKHAM DITCH

3		SWSNW	23	6S	7E	PARK
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Period of Diversion: MAY 1 TO NOVEMBER 4

Diversion Means: HEADGATE

Ditch Name: HOOKHAM DITCH

DITCH NAME FOR DIVERSION NO. 01 IS: MUTUAL DITCH
DITCH NAME FOR DIVERSION NO. 3 IS: HOOKHAM DITCH
DITCH NAME FOR DIVERSION NO. 2 IS: HOOKHAM DITCH

Period of Use: MAY 1 to NOVEMBER 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	5.00		SENWSW	13	6S	7E	PARK
2	8.00		NWNWSW	13	6S	7E	PARK
3	10.00		SWNWSW	13	6S	7E	PARK
4	35.00		SWSW	13	6S	7E	PARK
5	3.00		NENWSW	13	6S	7E	PARK
6	10.00		NENESE	14	6S	7E	PARK
7	10.00		NWNESE	14	6S	7E	PARK
8	20.00		S2NESE	14	6S	7E	PARK
9	40.00		SESE	14	6S	7E	PARK
10	18.00		E2NWSE	14	6S	7E	PARK

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>
11	20.00		E2SWSE	14	6S	7E	PARK
12	8.00		SWSWSE	14	6S	7E	PARK
13	2.00		NWNWSE	14	6S	7E	PARK
14	10.00		NWNWNW	24	6S	7E	PARK
15	2.00		NENWNW	24	6S	7E	PARK
16	3.00		SWNWNW	24	6S	7E	PARK
17	35.00		NENE	23	6S	7E	PARK
18	9.00		NENWNE	23	6S	7E	PARK
19	35.00		SENE	23	6S	7E	PARK
20	6.00		NWNESE	23	6S	7E	PARK
21	7.00		NENWSE	23	6S	7E	PARK
22	6.00		SESWNE	23	6S	7E	PARK
23	18.00		S2NWSE	23	6S	7E	PARK
24	3.00		NWSWSE	23	6S	7E	PARK
25	3.00		SWSENE	14	6S	7E	PARK
26	3.00		SESWNE	14	6S	7E	PARK
27	2.00		SWNESE	14	6S	7E	PARK
28	2.00		NWNWNE	23	6S	7E	PARK
Total:	333.00						

Geocodes/Valid: 49-0431-14-1-01-05-0000 - Y 49-0431-14-4-01-01-0000 - Y
 49-0431-23-1-01-01-0000 - Y 49-0431-23-1-01-10-0000 - Y
 49-0431-23-4-01-05-0000 - Y 49-0431-23-4-01-10-0000 - Y
 49-0431-24-2-01-08-0000 - 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.

195264-00 195265-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/23/96.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 560 RECEIVED 10/19/2001.

OWNERSHIP UPDATE TYPE 608 # 44711 RECEIVED 03/02/2007.

OWNERSHIP UPDATE TYPE 641 # 107595 RECEIVED 05/19/2009.

THE NO. 1 POINT OF DIVERSION MAY BE INCORRECT. THE NO. 1 POINT OF DIVERSION APPEARS TO BE IN THE NWNWNE SEC 22 TWP 06S RGE 07E PARK COUNTY. SEE DNRC MEMORANDUM DATED 05/26/87.

THE FLOW RATE MAY BE INCORRECT. THE FLOW RATE APPEARS TO BE 4.00 CFS. SEE DNRC FIELD INVESTIGATION REPORT DATED 08/24/88.