

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:** 41C 196250-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE  
**Version Status:** ACTIVE  
**Late Claim:** A

**Owners:** KAREN TALLEY  
249 MIDDLE RD  
SHERIDAN, MT 59749-9526  
  
CHESTER B ALLINSON  
249 MIDDLE RD  
SHERIDAN, MT 59749-9526  
  
PORTMAN, MARGARET D REVOCABLE TRUST  
MARGARET D PORTMAN, TRUSTEE  
255 CANE CREAK CREEK RD  
MOORESBORO, NC 28114-9628  
  
JACK T BIELER  
PO BOX 898  
SHERIDAN, MT 59749-0898  
  
MARIA BARTOLETTI  
BOX 898  
SHERIDAN, MT 59749

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

BASED ON THE PARTIES' STIPULATION, OWNERSHIP OF THE WATER RIGHT CHANGED BY ORDER OF THE WATER COURT DURING ADJUDICATION OF THE TEMPORARY PRELIMINARY DECREE.

**Priority Date:** APRIL 1, 1907  
**Enforceable Priority Date:** APRIL 1, 1907

CLAIM FILED LATE 05/03/82 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 323.69 GPM  
FLOW RATE EQUALS 38.00 MINER'S INCHES.

**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:** 39.40

**Source Name:** RUBY 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		SWNWNW	24	5S	5W	MADISON

**Period of Diversion:** APRIL 1 TO DECEMBER 4

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 to DECEMBER 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	8.00		S2NWSW	3	5S	5W	MADISON
2	20.00		SWSW	3	5S	5W	MADISON
3	3.00		NENW	10	5S	5W	MADISON
4	5.40		SESW	3	5S	5W	MADISON
5	3.00		NENW	10	5S	5W	MADISON

**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>
<b>Total:</b>	39.40						
<b>Geocodes/Valid:</b>		25-0506-03-3-01-01-0000 - Y				25-0506-03-3-01-05-0000 - Y	
		25-0506-03-3-01-10-0000 - Y				25-0506-10-2-01-01-0000 - Y	
		25-0506-10-2-01-20-0000 - Y				25-0506-10-2-02-01-0000 - Y	

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**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.

2046-00      196250-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/29/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/09/96.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/15/98.

SPLIT CLAIM NO. 41C 30071970 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 4883 RECEIVED 09/26/2002.

OWNERSHIP UPDATE TYPE 641 # 123245 RECEIVED 08/04/2014.

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 130954 RECEIVED 04/30/2015.

OWNERSHIP UPDATE TYPE 608 # 131283 RECEIVED 05/18/2015.

OWNERSHIP UPDATE TYPE DOR # 147338 RECEIVED 09/15/2016.