

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: 41G 196871-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners:
DAVID MAICHEL
PO BOX 154
HARRISON, MT 59735

CHRISTINE MAICHEL
PO BOX 154
HARRISON, MT 59735

Priority Date: DECEMBER 31, 1920
Enforceable Priority Date: DECEMBER 31, 1920

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVIOR.

Maximum Volume: 71.00 AC-FT
Climatic Area: 3 - MODERATE

Maximum Acres: 80.30

Source Name: UNNAMED TRIBUTARY OF POTOSI 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		NWNWNW	10	3S	3W	MADISON

Period of Diversion: MAY 1 TO NOVEMBER 4
Diversion Means: HEADGATE
Ditch Name: ALBRO LAKE RESERVOIR

SOUTH WILLOW CREEK IS USED TO CONVEY STORED ALBRO LAKE WATER TO A SECONDARY POINT OF DIVERSION ON WILLOW CREEK AT NESWSW SEC 29 TWP 01S RGE 01W MADISON COUNTY. WHEN THE STORED WATER IS UTILIZED, AN ESTIMATED RATE OF FLOW IS RELEASED FROM ALBRO LAKE AND A LIKE FLOW IS EXCHANGED DOWNSTREAM FROM SOUTH WILLOW CREEK. THE TIME INTERVAL FOR THAT RATE OF FLOW TO DELIVER THE VOLUME OF STORED WATER RELEASED IS CALCULATED AND AFTER THAT PERIOD OF TIME HAS PASSED THE FLOW IS TERMINATED.

DAM USED AS AN ADDITIONAL MEANS OF DIVERSION.

Reservoir: ON STREAM **Reservoir Name** ALBRO LAKE
Govt Lot **Qtr** **Sec** **Twp** **Rge** **County**
NWNWNW 10 3S 3W MADISON

Diversion to Reservoir: DIVERSION # 1

Period of Use: MAY 1 to NOVEMBER 4

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	6.10		E2NENWSW	28	1S	1W	MADISON
2	22.50		NESW	28	1S	1W	MADISON
3	5.60		W2SWNWSE	28	1S	1W	MADISON
4	4.30		E2SESW	28	1S	1W	MADISON
5	29.30		SWSE	28	1S	1W	MADISON
6	12.50		S2SESE	28	1S	1W	MADISON
Total:	80.30						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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THE POINT OF DIVERSION, MEANS OF DIVERSION, AND RESERVOIR LEGAL DESCRIPTION WERE AMENDED BY CLAIMANT IN 2006 PURSUANT TO SECTION 85-2-233(6), MCA.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/03/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 33513 RECEIVED 03/21/2005.

ON JUNE 17, 2005 AMBER HARGROVE AND DAVE HARGROVE FILED AN AFFIDAVIT REQUESTING CHANGES TO THE POINT OF DIVERSION LEGAL DESCRIPTION. THIS HAS BEEN DEEMED AND DOCKETED AS A LATE OBJECTION AND WILL BE HEARD AFTER PROPER NOTICE ON THE NEXT OBJECTION LIST.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.