

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:** 43D 197625-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** PAM S DIEDE  
PO BOX 298  
JOLIET, MT 59041-0298

ROBERT H DIEDE  
PO BOX 298  
JOLIET, MT 59041-0298

**Priority Date:** MARCH 14, 1973

**Enforceable Priority Date:** MARCH 14, 1973

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.14 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:** 2 - MODERATELY HIGH

**Maximum Acres:** 30.00

**Source Name:** ROCK 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		NWNWSE	35	4S	22E	CARBON

**Period of Diversion:** FEBRUARY 1 TO NOVEMBER 24

**Diversion Means:** HEADGATE

**Ditch Name:** CARBONADO DITCH

DITCH NAME: CARBONADO DITCH

**Period of Use:** FEBRUARY 1 to NOVEMBER 24

**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	30.00		W2SE	21	4S	22E	CARBON

**Total:** 30.00

**Geocodes/Valid:** 10-0623-21-4-04-05-0000 - Y

**Remarks:**

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/27/89.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/01.

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

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 1 TO OCTOBER 31.

THE CARBON COUNTY WATER RESOURCES SURVEY (1966) APPEARS TO INDICATE 10.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 279-56, DATED 10/03/80, APPEARS TO INDICATE 10.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CARBON COUNTY WATER RESOURCES SURVEY (1946) APPEARS TO INDICATE 22.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**Remarks:**

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON ROCK CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 275, CARBON COUNTY.