

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 197688-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: SUNWEST TRUST LLC
% STEVEN B KAMPS IRA
PO BOX 36371
ALBUQUERQUE, NM 87176

STEVEN B KAMPS
PO BOX 74
OVANDO, MT 59854-0074

Priority Date: MAY 1, 1892
Enforceable Priority Date: MAY 1, 1892

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 359.00 GPM

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: 21.30

Source Name: SPRING, UNNAMED TRIBUTARY OF DILWORTH CREEK
Source Type: SURFACE WATER

ALSO KNOWN AS TOLMAN CEMETERY SPRING.

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		NWSENE	8	9S	21E	CARBON

Period of Diversion: APRIL 15 TO OCTOBER 19
Diversion Means: DITCH

Period of Use: APRIL 15 to OCTOBER 19

THE ACTUAL HISTORICAL PERIOD OF USE FOR THIS WATER RIGHT IS FROM APRIL 15 TO OCTOBER 15. COMPUTER PROGRAM LIMITATIONS DO NOT ALLOW THE CORRECT PERIOD OF USE TO BE PRINTED ABOVE.

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	21.30		E2NE	8	9S	21E	CARBON
Total:	21.30						

Geocodes/Valid: 10-0188-08-1-04-01-0000 - Y 10-0188-08-1-04-04-0000 - Y

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

197688-00 197691-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/22/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/14/94.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 11460 RECEIVED 07/10/2003.
OWNERSHIP UPDATE TYPE 608 # 23863 RECEIVED 06/08/2005.
OWNERSHIP UPDATE TYPE DOR # 91810 RECEIVED 10/28/2010.
OWNERSHIP UPDATE TYPE DOR # 96175 RECEIVED 09/16/2011.

Remarks:

OWNERSHIP UPDATE TYPE 608 # 102423 RECEIVED 06/14/2012.

THE MOTION OF THE COURT HAS BEEN AMENDED TO CONFORM WITH THE EVIDENCE SUBMITTED BY THE CLAIMANT TO INCLUDE CHANGES IN THE FLOW RATE, PERIOD OF USE, POINT OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE TEMPORARY PRELIMINARY DECREE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.