

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 198686-00 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:**

MARTIN M KILWINE  
PO BOX 156  
FROMBERG, MT 59029

MELODY KILWINE  
PO BOX 156  
FROMBERG, MT 59029

CHRISTINE C THELEN  
PO BOX 415  
FROMBERG, MT 59029-0415

ANNABEL W LOMBARD  
PO BOX 175  
FROMBERG, MT 59029-0175

DALE W HAMPTON  
688 JOLIET FROMBERG RD  
FROMBERG, MT 59029

SHEILA S HAMPTON  
688 JOLIET FROMBERG RD  
FROMBERG, MT 59029

KLIFF BARE  
PO BOX 50175  
BILLINGS, MT 59105

MOLLY BARE  
PO BOX 50175  
BILLINGS, MT 59105

DENNIS ALLEN  
3870 OLD HARDIN RD  
BILLINGS, MT 59101

JODI ALLEN  
3870 OLD HARDIN RD  
BILLINGS, MT 59101

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

OWNER CHRISTINE C THELEN RETAINED. CONTRACT FOR DEED INTEREST.

**Priority Date:** JUNE 12, 1895

**Enforceable Priority Date:** JUNE 12, 1895

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 2.78 CFS

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 156.00

**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		SESWSE	14	4S	22E	CARBON

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** LAST CHANCE DITCH

**Period of Use:** APRIL 1 to NOVEMBER 30

**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	86.00		SW	17	5S	23E	CARBON
2	55.00		S2NW	17	5S	23E	CARBON
3	15.00		NWSE	17	5S	23E	CARBON
<b>Total:</b>	156.00						

<b>Geocodes/Valid:</b>		
	10-0536-17-2-04-01-0000 - Y	10-0536-17-2-04-01-0901 - Y
	10-0536-17-2-04-01-0902 - Y	10-0536-17-2-04-02-0000 - Y
	10-0536-17-2-04-03-0000 - Y	10-0536-17-2-04-04-0000 - Y
	10-0536-17-2-04-05-0000 - Y	10-0536-17-2-04-06-0000 - Y
	10-0536-17-2-04-07-0000 - Y	10-0536-17-2-04-08-0000 - Y
	10-0536-17-2-04-09-0000 - Y	10-0536-17-2-04-09-0901 - Y
	10-0536-17-3-01-01-0000 - Y	10-0536-17-3-02-01-0902 - Y
	10-0536-17-3-03-10-0000 - Y	10-0536-17-3-10-02-0000 - Y
	10-0536-17-3-10-03-0000 - Y	10-0536-17-3-10-03-0901 - Y
	10-0536-17-3-10-04-0000 - Y	10-0536-17-3-10-05-0000 - Y
	10-0536-17-3-10-06-0000 - Y	10-0536-17-3-10-07-0000 - Y
	10-0536-17-4-02-01-0901 - Y	

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/30/90: MAXIMUM ACRES, PLACE OF USE.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/01/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/29/84.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/04/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/22/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/22/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/21/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/94.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 129465 RECEIVED 06/04/1992.

OWNERSHIP UPDATE TYPE 608 # 20182 RECEIVED 02/08/2005.

OWNERSHIP UPDATE TYPE 608 # 129514 RECEIVED 04/02/2007.

OWNERSHIP UPDATE TYPE 608 # 121179 RECEIVED 05/27/2014.

OWNERSHIP UPDATE TYPE DOR # 126169 RECEIVED 09/19/2014.

OWNERSHIP UPDATE TYPE 608 # 129810 RECEIVED 03/25/2015.

OWNERSHIP UPDATE TYPE DOR # 130627 RECEIVED 04/20/2015.

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