

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 200036-00 STATEMENT OF CLAIM  
**Version:** 2 -- REEXAMINED

**Version Status:** ACTIVE

**Owners:** MCCOMAS, DONALD E TRUST  
MCCOMAS SHARLENE S TRUSTEE  
231 ZUMBRUN RD  
FOX, MT 59070-9593  
  
SHARLENE S MCCOMAS  
231 ZUMBRUN RD  
FOX, MT 59070-9593

**Priority Date:** JULY 7, 1896

**Enforceable Priority Date:** JULY 7, 1896

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 282.74 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:** 60.60

**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		SE	2	7S	20E	CARBON

**Period of Diversion:** APRIL 15 TO OCTOBER 10

**Diversion Means:** HEADGATE

**Ditch Name:** CONSOLIDATED DITCH

2- SECONDARY	14	NWSE	26	6S	20E	CARBON
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**Period of Diversion:** APRIL 15 TO OCTOBER 14

**Diversion Means:** HEADGATE

**Ditch Name:** TAYLOR DITCH

WATER FROM CONSOLIDATED DITCH IS CONVEYED THROUGH TAYLOR DITCH TO THE PLACE OF USE.

**Period of Use:** APRIL 15 to OCTOBER 10

**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	35.00		W2NE	27	6S	20E	CARBON
2	25.60	7	NENW	27	6S	20E	CARBON
<b>Total:</b>	60.60						

**Geocodes/Valid:** 10-0446-27-1-02-01-0000 - Y      10-0446-27-2-01-04-0000 - Y

**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.

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/07/1990: PLACE OF USE, MAXIMUM ACRES.

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

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**Remarks:**

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/10/97.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 130573 RECEIVED 12/05/2014.

POINT OF DIVERSION MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.