

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 200048-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: GENE J KLAMERT
2100 S 44TH ST W
BILLINGS, MT 59106-3945
RONNA J KLAMERT
2100 S 44TH ST W
BILLINGS, MT 59106-3945

Priority Date: JULY 16, 1910
Enforceable Priority Date: JULY 16, 1910

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 6.25 CFS

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: 403.40

Source Name: CLEAR CREEK
Source Type: SURFACE WATER

ROCK CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER FROM CLEAR CREEK TO THE POINT OF DIVERSION.

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 | | SWSNW | 21 | 5S | 21E | CARBON |

Period of Diversion: APRIL 1 TO NOVEMBER 4

Diversion Means: HEADGATE

Ditch Name: HIGHLINE DITCH
DITCH NAME: HIGHLINE DITCH

Period of Use: APRIL 1 to NOVEMBER 4

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 | 124.70 | | SW | 13 | 5S | 21E | CARBON |
| 2 | 124.70 | | NW | 13 | 5S | 21E | CARBON |
| 3 | 77.00 | | E2SW | 12 | 5S | 21E | CARBON |
| 4 | 77.00 | | W2SE | 12 | 5S | 21E | CARBON |
| Total: | 403.40 | | | | | | |

Geocodes/Valid: 10-0534-12-3-01-01-0000 - Y 10-0534-13-3-01-01-0000 - Y

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/16/86.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 27093 RECEIVED 12/07/2005.

OWNERSHIP UPDATE TYPE 608 # 90515 RECEIVED 07/31/2008.

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

USDA AERIAL PHOTOGRAPH NO. 279-40, DATED 10/03/80, APPEARS TO INDICATE 384.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CARBON COUNTY WATER RESOURCES SURVEY (1966) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

Remarks:

THE CARBON COUNTY WATER RESOURCES SURVEY (1946) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON CLEAR CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 646, CARBON COUNTY.

WATER IS NOT DIVERTED FROM THE SOURCE CLAIMED. A HISTORICAL APPROPRIATION FROM THE CLAIMED SOURCE CANNOT BE SUBSTANTIATED.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.