

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 206809-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** VIRGINIA K SCHUSTER  
3100 W MACDONALD  
BILLINGS, MT 59102-0552  
  
MARGUERITE A JALINK  
M/T WILLIAM J SPEAR  
BILLINGS, MT 59102-0567  
  
9-G LAND AND CATTLE CO LLC  
C/O ROBERT & MARY FOGLESONG  
884 TIMBER CREEK DR  
COLUMBUS, MS 39702-8033

STEFAN FILKIN  
207 TAYLOR HILL RD  
RED LODGE, MT 59068

ROSE FILKIN  
207 TAYLOR HILL RD  
RED LODGE, MT 59068

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

**Priority Date:** MAY 23, 1973  
**Enforceable Priority Date:** MAY 23, 1973

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 7.50 CFS

**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:** 179.00

**Source Name:** WASTE & SEEPAGE, UNNAMED TRIBUTARY OF 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 4

**Diversion Means:** HEADGATE

**Ditch Name:** CONSOLIDATED DITCH  
DITCH NAME: CONSOLIDATED DITCH

**Period of Use:** APRIL 15 to OCTOBER 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	80.00		W2SE	22	6S	20E	CARBON
2	80.00		E2SW	22	6S	20E	CARBON
3	19.00		E2W2SW	22	6S	20E	CARBON
<b>Total:</b>	179.00						

**Geocodes/Valid:** 10-0446-22-4-01-01-0000 - Y      10-0446-22-4-01-05-0000 - Y  
10-0446-22-4-01-06-0000 - Y      10-0446-22-4-01-07-0000 - Y  
10-0446-22-4-01-08-0000 - Y      10-0446-22-4-01-09-0000 - Y  
10-0446-22-4-01-10-0000 - Y      10-0446-22-4-01-11-0000 - Y  
10-0446-22-4-01-12-0000 - Y

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**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.

125735-00 206809-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/30/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/09/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/30/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/27/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/27/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/15/97.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/10/98.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/12/01.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 14526 RECEIVED 01/05/2004.

OWNERSHIP UPDATE TYPE 608 # 64909 RECEIVED 09/25/2007.