

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: 40A 207545-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE

Version Status: ACTIVE

Owners: NORMAN M VOLDSETH
135 VOLDSETH RD
MARTINSDALE, MT 59053

Priority Date: JULY 22, 1937

Enforceable Priority Date: JULY 22, 1937

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 40.00 CFS

Maximum Volume: 1,903.70 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 1,733.59

Source Name: COMB CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSW	8	7N	10E	MEAGHER

Period of Diversion: APRIL 20 TO JUNE 20

Diversion Means: HEADGATE

2- SECONDARY		NWSWNE	7	7N	10E	MEAGHER
--------------	--	--------	---	----	-----	---------

Period of Diversion: MAY 20 TO SEPTEMBER 15

Diversion Means: HEADGATE

3- SECONDARY		NENWSW	6	7N	10E	MEAGHER
--------------	--	--------	---	----	-----	---------

Period of Diversion: MAY 20 TO SEPTEMBER 15

Diversion Means: HEADGATE

4- SECONDARY		NENENE	1	7N	9E	MEAGHER
--------------	--	--------	---	----	----	---------

Period of Diversion: MAY 20 TO SEPTEMBER 15

Diversion Means: HEADGATE

5- SECONDARY		NWNENW	6	7N	10E	MEAGHER
--------------	--	--------	---	----	-----	---------

Period of Diversion: MAY 20 TO SEPTEMBER 15

Diversion Means: HEADGATE

6- SECONDARY		SESESE	36	8N	9E	MEAGHER
--------------	--	--------	----	----	----	---------

Period of Diversion: MAY 20 TO SEPTEMBER 15

Diversion Means: HEADGATE

7- SECONDARY		SWSESW	31	8N	10E	MEAGHER
--------------	--	--------	----	----	-----	---------

Period of Diversion: MAY 20 TO SEPTEMBER 15

Diversion Means: HEADGATE

8- SECONDARY		SWNWSW	31	8N	10E	MEAGHER
--------------	--	--------	----	----	-----	---------

Period of Diversion: MAY 20 TO SEPTEMBER 15

Diversion Means: HEADGATE

POINT OF DIVERSION ID 1 DIVERTS WATER INTO VOLDSETH RESERVOIR, AN OFFSTREAM STORAGE RESERVOIR. STORAGE WATER IS THEN RETURNED TO COMB CREEK IN THE NWSENE, SEC 7, T7N. R10E. COMB CREEK IS USED AS A NATURAL CARRIER TO ALL SECONDARY POINTS OF DIVERSION LISTED ABOVE.

Reservoir: OFF STREAM **Reservoir Name** VOLDSETH RESERVOIR

<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SENWSW	8	7N	10E	MEAGHER

Diversion to Reservoir: DIVERSION # 1

Dam Height: 35.00 FEET
Depth: 27.00 FEET
Surface Area: 108.00 ACRES
Current Capacity: 1,547.00 ACRE-FEET

Period of Use: MAY 1 to SEPTEMBER 15

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	12.30		E2E2SE	36	8N	9E	MEAGHER
2	489.00			31	8N	10E	MEAGHER
3	357.90			32	8N	10E	MEAGHER
4	295.40			33	8N	10E	MEAGHER
5	49.00		W2	4	7N	10E	MEAGHER
6	116.80		NE	6	7N	10E	MEAGHER
7	18.20		N2	7	7N	10E	MEAGHER
8	11.90		E2E2E2	1	7N	10E	MEAGHER
9	156.10		N2	5	7N	10E	MEAGHER
10	196.49		W2	6	7N	10E	MEAGHER
11	10.40		S2S2SE	28	8N	10E	MEAGHER
12	20.10		S2SE	30	8N	10E	MEAGHER
Total:	1,733.59						

Geocodes/Valid: 47-1600-01-2-01-01-0000 - Y 47-1600-04-1-01-01-0000 - Y
 47-1600-05-1-01-01-0000 - Y 47-1600-06-2-01-01-0000 - Y
 47-1600-17-1-01-01-0000 - Y 47-1700-36-4-01-01-0000 - Y
 47-1701-28-4-04-01-0000 - Y 47-1701-30-4-01-01-0000 - Y
 47-1701-31-1-01-01-0000 - Y 47-1701-32-2-01-01-0000 - Y
 47-1701-33-3-01-01-0000 - 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.

207532-00 207536-00 207538-00 207539-00 207540-00 207542-00 207545-00
 207546-00 207547-00

THE PLACE OF USE AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/31/85.