

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: 41H 210856-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: PETER A ROTHING
3040 AMSTERDAM RD
BELGRADE, MT 59714

TANYA H ROTHING
3108 LINNEY RD
BOZEMAN, MT 59718

LYNN W LIVINGSTON
47 CHAPALE WAY SE
CALGARY AB T2X3S7
CANADA

MARTINA LIVINGSTON
47 CHAPALE WAY SE
CALGARY AB T2X3S7
CANADA

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS AFTER FINAL DECREE UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 15, 1897

Enforceable Priority Date: JUNE 15, 1897

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 238.00 GPM

Maximum Volume:

Climatic Area: 3 - MODERATE

Maximum Acres: 33.00

Source Name: WEST GALLATIN RIVER

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		SESESW	9	1S	4E	GALLATIN

Period of Diversion: APRIL 25 TO OCTOBER 9

Diversion Means: HEADGATE

Ditch Name: BAKER CREEK

DITCH NAME: BAKER CREEK DITCH

Period of Use: APRIL 25 to OCTOBER 9

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	13.00		NWNW	9	1S	4E	GALLATIN
2	20.00		SESW	9	1S	4E	GALLATIN

Total: 33.00

Geocodes/Valid: 06-0903-09-2-01-08-0000 - Y 06-0903-09-2-01-10-0000 - Y

06-0903-09-2-01-14-0000 - Y

Remarks:

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.

148478-00 210856-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. W148478-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/17/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/96.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/24/99.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/25/01.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 40085 RECEIVED 07/24/2006.