

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:** 43B 211293-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE  
**Late Claim:** B

**Owners:** STEVEN B POJMAN  
1067 US HWY 89 S  
GARDINER, MT 59030  
JANIS A POJMAN  
1067 US HWY 89 S  
GARDINER, MT 59030

**Priority Date:** JANUARY 1, 1969  
**Enforceable Priority Date:** JUNE 30, 1973

CLAIM FILED LATE 05/20/1985. THIS WATER RIGHT IS SUBORDINATE TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS.

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 0.25 CFS

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Source Name:** CEDAR 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		SESESE	12	8S	12E	PARK

**Period of Diversion:**  
**Diversion Means:** HEADGATE  
**Subdivision:** ELK PARK

**Period of Use:**

**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	3.40		SESESE	12	8S	12E	PARK

**Subdivision:** ELK PARK TRACT/LOT 3 BLOCK: B

**Total:** 3.40

**Geocodes/Valid:** 49-0259-12-3-01-09-0000 - Y

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

446-00      38501-00      211293-00

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 118759 RECEIVED 02/24/2014.

CLAIM WAS NOT INCLUDED IN THE BASIN 43B TEMPORARY PRELIMINARY DECREE ISSUED 01/16/85. THE POINT OF DIVERSION MAY BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWNENE SEC 13 TWP 08S RGE 07E PARK COUNTY. SEE DNRC MEMORANDUM DATED 06/02/87.

---

**Remarks:**

CLAIM FILED LATE 5/20/85 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE CLAIMED PRIORITY DATE AND FLOW RATE MAY BE QUESTIONABLE. ACCORDING TO THE DOCUMENTATION ATTACHED TO THE STATEMENT OF CLAIM, CAUSE #13255 ON CEDAR CREEK DECREED THIS RIGHT FOR 10 MINER'S INCHES WITH A PRIORITY DATE OF 04/07/1972.