

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: 43BV 211457-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: CAYUSE LIVESTOCK CO
316A MELVILLE RD
BIG TIMBER, MT 59011

OTTER CREEK CONSTRUCTION LLC
PO BOX 1364
BIG TIMBER, MT 59011

Priority Date: JULY 2, 1887
Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 08/19/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.50 CFS

Maximum Volume: 732.00 AC-FT
Climatic Area: 3 - MODERATE

Maximum Acres: 502.00

Source Name: SWEET GRASS 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>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	9	4N	14E	SWEET GRASS

Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: NEVIN DITCH

DITCH NAME: THOMPSON-HOWE DITCH

Period of Use: MAY 1 to SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	152.00		NW	12	4N	14E	SWEET GRASS
2	82.00		NE	12	4N	14E	SWEET GRASS
3	120.00		SW	12	4N	14E	SWEET GRASS
4	148.00		SE	12	4N	14E	SWEET GRASS
Total:	502.00						

Geocodes/Valid: 40-1312-12-1-01-01-0000 - Y 40-1312-12-1-01-02-0000 - Y
40-1312-12-1-03-01-0000 - Y 40-1312-12-2-01-01-0000 - Y
40-1312-12-3-01-02-0000 - Y 40-1312-12-4-03-04-0000 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 93559 RECEIVED 05/27/2011.

OWNERSHIP UPDATE TYPE DOR # 146799 RECEIVED 08/31/2016.

CLAIM WAS NOT INCLUDED IN THE BASIN 43BV TEMPORARY PRELIMINARY DECREE ISSUED 12/19/84.

Remarks:

CLAIM FILED LATE 08/19/85 . 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.