

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: 41F 211539-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: JACK CREEK RANCH LIMITED PARTNERSHIP
PO BOX 506
85 FOREST AVE
LOCUST VALLEY, NY 11560

JACK CREEK LLC
%HARRY PARKS
401 S 3RD ST
BOZEMAN, MT 59715-5250

Priority Date: JULY 1, 1950
Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 10/21/85 . 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: USE

Purpose (use): IRRIGATION
Irrigation Type: NATURAL SUBIRRIGATION

Maximum Flow Rate:

Maximum Volume:
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 140.00

Source Name: SUBIRRIGATION, UNNAMED TRIBUTARY OF JACK CREEK
Source Type: GROUNDWATER

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Source Type: GROUNDWATER

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		SENE	35	5S	1W	MADISON

Period of Diversion: MAY 1 TO NOVEMBER 4
Source Name: SUBIRRIGATION, UNNAMED TRIBUTARY OF JACK CREEK
Diversion Means: SUBIRRIGATION

2		NENE	35	5S	1W	MADISON
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Period of Diversion: MAY 1 TO NOVEMBER 4
Source Name: UNNAMED TRIBUTARY OF JACK CREEK
Diversion Means: SUBIRRIGATION

3		SESE	26	5S	1W	MADISON
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Period of Diversion: MAY 1 TO NOVEMBER 4
Source Name: UNNAMED TRIBUTARY OF JACK CREEK
Diversion Means: SUBIRRIGATION

4		NESE	26	5S	1W	MADISON
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Period of Diversion: MAY 1 TO NOVEMBER 4
Source Name: UNNAMED TRIBUTARY OF JACK CREEK
Diversion Means: SUBIRRIGATION

5		SWSW	25	5S	1W	MADISON
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Period of Diversion: MAY 1 TO NOVEMBER 4
Source Name: UNNAMED TRIBUTARY OF JACK CREEK
Diversion Means: SUBIRRIGATION

Period of Use: MAY 1 to NOVEMBER 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	36.00		SENE	35	5S	1W	MADISON
2	40.00		NENE	35	5S	1W	MADISON
3	40.00		SESE	26	5S	1W	MADISON
4	12.00		NESE	26	5S	1W	MADISON
5	12.00		SWSW	25	5S	1W	MADISON
Total:	140.00						

Geocodes/Valid: 25-0510-26-4-01-01-0000 - Y 25-0510-36-2-01-01-0000 - Y
25-0510-36-2-03-01-0000 - 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.

211538-00 211539-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/19/94.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 18970 RECEIVED 01/14/2005.

OWNERSHIP UPDATE TYPE DOR # 149606 RECEIVED 08/21/2015.

CLAIM WAS NOT INCLUDED IN THE BASIN 41F TEMPORARY PRELIMINARY DECREE ISSUED 07/25/84. CLAIM FILED LATE 10/21/85 . 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.