

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: 411 212459-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: CX RANCH LLP
PO BOX 470125
WINSTON, MT 59647-0125

Priority Date: JUNE 5, 1888

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 05/31/88 . 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: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 2.00 CFS

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

Climatic Area: 3 - MODERATE

Maximum Acres: 315.10

Source Name: ANTELOPE 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	NENWSNW		25	9N	1W	BROADWATER

Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: COX DITCH

2	SWNWSNW		25	9N	1W	BROADWATER
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Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: COX DITCH

3	NENESE		27	9N	1W	BROADWATER
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Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

DITCH NAME FOR DIVERSION NO. 2 IS: COX DITCH

DITCH NAME FOR DIVERSION NO. 01 IS: COX DITCH

Period of Use: MAY 1 to OCTOBER 31

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	64.00		S2SW	23	9N	1W	BROADWATER
2	2.30		NESESW	23	9N	1W	BROADWATER
3	44.50		S2SE	23	9N	1W	BROADWATER
4	4.00		SWNESW	23	9N	1W	BROADWATER
5	31.60		S2SW	24	9N	1W	BROADWATER
6	130.60		N2	25	9N	1W	BROADWATER
7	38.10		N2NE	26	9N	1W	BROADWATER

Total: 315.10

Geocodes/Valid: 43-1789-23-3-02-01-0000 - Y 43-1789-23-4-01-01-0000 - Y
43-1789-24-1-01-01-0000 - Y 43-1789-25-3-01-03-0000 - Y
43-1789-26-1-02-01-0000 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 8698 RECEIVED 04/28/2003.

OWNERSHIP UPDATE TYPE DOR # 118991 RECEIVED 02/12/2013.

THE TIMELY FILED OBJECTION OF CLIFFORD COX WAS AMENDED BY CLAIMANT TO INCLUDE FLOW RATE. BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

CLAIM FILED LATE 05/31/88 . 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.