

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: 41C 214746-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: JAMES C KENNEDY
PO BOX 530255
ATLANTA, GA 30353

Priority Date: DECEMBER 26, 1963

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 04/05/95 . 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: 1.59 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 42.00

Source Name: UNNAMED TRIBUTARY OF OLD STINKING WATER CHANNEL

Source Type: GROUNDWATER

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF OLD STINKING WATER CHANNEL

Source Type: GROUNDWATER

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		NWSWNE	15	4S	6W	MADISON

Period of Diversion: APRIL 1 TO NOVEMBER 30

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF OLD STINKING WATER CHANNEL

Diversion Means: DRAIN DITCH

2		SESWNE	15	4S	6W	MADISON
---	--	--------	----	----	----	---------

Period of Diversion: APRIL 1 TO NOVEMBER 30

Source Name: UNNAMED TRIBUTARY OF OLD STINKING WATER CHANNEL

Diversion Means: DRAIN DITCH

WATER DIVERTED FROM TWO (2) COLLECTION DITCHES IS CONVEYED TO THE OLD STINKING WATER CHANNEL WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NWSESW SEC 10 TWP 04S RGE 06W, MADISON COUNTY.

Period of Use: APRIL 1 to NOVEMBER 30

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	42.00		SW	10	4S	6W	MADISON

Total: 42.00

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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

Remarks:

CLAIM WAS NOT INCLUDED IN THE BASIN 41C TEMPORARY PRELIMINARY DECREE ISSUED 11/14/90.
CLAIM FILED LATE 04/05/95 . 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.