

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: 41J 3108-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: ROSTAD & ROSTAD INC
226 ROSTAD RD
WHITE SULPHUR SPRINGS, MT 59645-9501

Priority Date: SEPTEMBER 1, 1935
Enforceable Priority Date: SEPTEMBER 1, 1935

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 20.00 CFS
Maximum Volume: 750.00 AC-FT
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 480.00

Source Name: HUSSEY 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		NESWNW	4	7N	6E	MEAGHER

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: HEADGATE

Reservoir: OFF STREAM **Reservoir Name** WERTZ RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSESW	34	8N	6E	MEAGHER

Diversion to Reservoir: DIVERSION # 1

Dam Height: 36.00 FEET
Depth: 27.00 FEET
Current Capacity: 530.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: APRIL 1 to OCTOBER 1

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	6.00		S2SW	24	8N	6E	MEAGHER
2	130.00		W2	25	8N	6E	MEAGHER
3	330.00		S2	26	8N	6E	MEAGHER
4	14.00		E2SE	27	8N	6E	MEAGHER
Total:	480.00						

Geocodes/Valid: -- NO VALID GEOCODES --

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.

3107-00 3108-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/30/2010: PRIORITY DATE, TYPE OF HISTORICAL RIGHT, VOLUME, PERIOD OF USE.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 11/15/2006.

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

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/09/1992.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 5565 RECEIVED 09/26/2002.