

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: 43D 4943-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: JOLIET DITCH CO
% CORIE MYDLAND
645 FAREWELL ROAD
JOLIET, MT 59041

Priority Date: MAY 15, 1899

Enforceable Priority Date: MAY 15, 1899

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 224.40 GPM

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

Climatic Area: 1 - HIGH

Maximum Acres: 844.00

Source Name: ROCK 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		SWNWNW	21	4S	22E	CARBON

Period of Diversion: APRIL 1 TO NOVEMBER 29

Diversion Means: HEADGATE

Ditch Name: JOLIET-DUFFIELD DITCH

DITCH NAME: DUFFIELD-JOLIET DITCH

Period of Use: APRIL 1 to NOVEMBER 29

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	62.60		S2S2S2	12	4S	22E	CARBON
2	188.00		N2	13	4S	22E	CARBON
3	8.00		SE	14	4S	22E	CARBON
4	39.90		E2NE	14	4S	22E	CARBON
5	1.60		SESWNE	14	4S	22E	CARBON
6	94.40		SW	5	4S	23E	CARBON
7	322.50			7	4S	23E	CARBON
8	60.00		NW	8	4S	23E	CARBON
9	67.00		NW	18	4S	23E	CARBON
Total:	844.00						

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.

4943-00 4944-00 4945-00 4946-00 4947-00

THE OWNER WAS AMENDED BY THE CLAIMANT ON 03/31/86.

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

Remarks:

THE TIMELY FILED OBJECTION OF UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PRIORITY DATE. 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.

USDA AERIAL PHOTOGRAPH NO. 279-090, DATED 10/03/80, APPEARS TO INDICATE 793.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CARBON COUNTY WATER RESOURCES SURVEY (1966) INDICATES THERE WERE 570.00 ACRES IRRIGATED IN 1965.

THE CARBON COUNTY WATER RESOURCES SURVEY (1946) INDICATES THERE WERE 513.00 ACRES IRRIGATED IN 1943.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.