

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:** 41S 16555-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** MARILYN B CLARK  
4640 S YOSEMITE ST  
ENGLEWOOD, CO 80111-1255  
  
JOHN W CLARK  
23 CHERRY HILLS FARM DR.  
CHERRY HILLS VILLAGE, CO 80113-7113  
  
TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

**Priority Date:** JULY 20, 1963  
**Enforceable Priority Date:** JULY 20, 1963

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 12.00 CFS  
**Maximum Volume:** 1,296.00 AC-FT  
**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 480.00

**Source Name:** UNNAMED TRIBUTARY OF WOLF 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		SWNWNW	13	18N	14E	FERGUS

**Period of Diversion:** APRIL 15 TO OCTOBER 19  
**Diversion Means:** PUMP/HEADGATE W/DITCH OR PIPELINE

**Period of Use:** APRIL 15 to OCTOBER 19

**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	160.00		SW	13	18N	14E	FERGUS
2	160.00		SE	11	18N	14E	FERGUS
3	40.00		SWSW	12	18N	14E	FERGUS
4	40.00		NWNW	13	18N	14E	FERGUS
5	80.00		S2NW	13	18N	14E	FERGUS
<b>Total:</b>	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.

16555-00 16556-00

THE CLAIMED IRRIGATED ACRES AND PLACE OF USE HAVE BEEN RE-EXAMINED BY THE DNRC UNDER MONTANA WATER COURT ORDER DATED AUGUST 29, 1997. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/11/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/08/97.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/24/00.

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**Remarks:**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 30027-278-130 AND 30027-278-132, BOTH DATED 09/25/79, APPEAR TO INDICATE 110.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE FERGUS COUNTY WATER RESOURCES SURVEY (1970) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

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