

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 19167-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
SCOTT JOHNSON
2301 S 45TH ST W
BILLINGS, MT 59106

VICKI O JOHNSON
2301 S 45TH ST W
BILLINGS, MT 59106

KCS LAND LLP
17 KLAMERT LN
JOLIET, MT 59041

LEWIS LEATHERS
7559 CHAROLAIS ST
BILLINGS, MT 59106-9663

Priority Date: JULY 1, 1889
Enforceable Priority Date: JULY 1, 1889

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 1.00 CFS

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: 150.00

Source Name: ROCK CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESW	3	4S	23E	CARBON

Period of Diversion: APRIL 1 TO NOVEMBER 4

Diversion Means: HEADGATE

Ditch Name: SMITH DITCH

Period of Use: APRIL 1 to NOVEMBER 4

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	85.00		SE	26	3S	23E	CARBON
2	30.00		NE	26	3S	23E	CARBON
3	35.00		W2W2	25	3S	23E	CARBON
Total:	150.00						

Geocodes/Valid:

10-0721-25-2-03-01-0901 - Y	10-0721-26-4-01-01-0000 - Y
10-0721-26-4-02-01-0000 - Y	10-0721-26-4-02-02-0000 - Y
10-0721-26-4-02-03-0000 - Y	10-0721-26-4-02-04-0000 - Y
10-0721-26-4-02-05-0000 - Y	10-0721-26-4-04-01-0000 - Y
10-0721-26-4-04-03-0000 - Y	10-0721-26-4-04-05-0000 - Y
10-0721-26-4-04-07-0000 - Y	10-0721-26-4-04-09-0000 - Y

Remarks:

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.

19166-00 19167-00 215068-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/22/87.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 45540 RECEIVED 03/12/2007.

OWNERSHIP UPDATE TYPE DOR # 145595 RECEIVED 10/07/2011.

OWNERSHIP UPDATE TYPE DOR # 142121 RECEIVED 06/30/2014.

OWNERSHIP UPDATE TYPE DOR # 142150 RECEIVED 01/09/2015.

.....
AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.
.....