

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: 40F 40685-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: KELLY MOTHERSHEAD
72 SWEETGRASS HILLS RD
SWEET GRASS, MT 59484-9711

MAGGIE NUTTER
72 SWEETGRASS HILLS RD
SWEET GRASS, MT 59484-9711

Priority Date: JUNE 9, 1904
Enforceable Priority Date: JUNE 9, 1904

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.50 CFS
PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 25.00

Source Name: O'LAUGHLIN COULEE
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		SENWSE	7	37N	1E	TOOLE

Period of Diversion:
Diversion Means: DIVERSION DAM

2		NENESW	7	37N	1E	TOOLE
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Period of Diversion:
Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENESW	7	37N	1E	TOOLE

Diversion to Reservoir: DIVERSION # 2

Dam Height: 13.00 FEET
Depth: 10.00 FEET
Surface Area: 0.03 ACRES
Current Capacity: 0.12 ACRE-FEET

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: MARCH 1 to SEPTEMBER 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	25.00		N2N2SW	7	37N	1E	TOOLE
Total:	25.00						

Geocodes/Valid: 21-4957-07-3-01-01-0000 - Y

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/6/1990: MEANS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.
STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS

Remarks:

ONE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 20890 RECEIVED 03/07/2005.

THE CLAIMED FLOW RATE APPEARS TO EXCEED THE CAPACITY OF THE DIVERSION AND CONVEYANCE SYSTEM. AVAILABLE DATA SUPPORT A FLOW RATE OF 1.5 CFS.

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

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.

THE TOOLE COUNTY WATER RESOURCES SURVEY (1969) APPEARS TO INDICATE 13.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 278-62 , DATED 8/10/1979 , APPEARS TO INDICATE 12.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.