

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 101528-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: KEITH A STEVENSON
PO BOX 307
HOBSON, MT 59452-0307

BOS TERRA LP
PO BOX 169
HOBSON, MT 59452-0169

Priority Date: JANUARY 31, 1960
Enforceable Priority Date: JANUARY 31, 1960

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 1,500.00 GPM
Maximum Volume: 1,399.20 AC-FT
Climatic Area: 3 - MODERATE

Maximum Acres: 421.00

Source Name: ROSS FORK 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 | | SWSWSW | 14 | 14N | 15E | JUDITH BASIN |

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: MULTIPLE

| | | | | | | |
|---|--|--------|----|-----|-----|--------------|
| 2 | | NENENE | 15 | 14N | 15E | JUDITH BASIN |
|---|--|--------|----|-----|-----|--------------|

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: MULTIPLE

Period of Use: APRIL 1 to OCTOBER 31

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 | 83.00 | | SW | 11 | 14N | 15E | JUDITH BASIN |
| 2 | 11.00 | | W2SE | 11 | 14N | 15E | JUDITH BASIN |
| 3 | 120.00 | | W2 | 14 | 14N | 15E | JUDITH BASIN |
| 4 | 139.00 | | W2E2 | 14 | 14N | 15E | JUDITH BASIN |
| 5 | 7.00 | | E2SENE | 15 | 14N | 15E | JUDITH BASIN |
| 6 | 61.00 | | E2SE | 15 | 14N | 15E | JUDITH BASIN |
| Total: | 421.00 | | | | | | |

Geocodes/Valid: 36-2362-11-2-01-04-0000 - Y 36-2362-11-3-03-01-0000 - Y
36-2362-14-1-02-01-0000 - Y 36-2362-15-1-01-01-0000 - Y

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.

101528-00 101529-00

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 4/25/1985 PURSUANT TO SECTION 85-2-233(6), MCA.

THE MAXIMUM 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

Remarks:

ONE.

TRANSITORY POINT OF DIVERSION: ALL ALONG SOURCE

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/05/84.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/10/84.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 89055 RECEIVED 02/24/2011.

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

ADDITIONAL PROCEEDINGS ON THE KEITH A. STEVENSON AND WAYNE D. STEVENSON OBJECTIONS TO FLOW RATE AND VOLUME ARE STAYED PENDING ISSUANCE OF THE PRELIMINARY DECREE AT WHICH TIME THE OBJECTION AND THE ISSUE REMARKS CAN BE ADDRESSED AND RESOLVED.

THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NOS. 30045-179-112 AND 30045-179-114 , DATED 09/17/1979 , APPEAR TO INDICATE 377.7 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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