

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:** 41M 129637-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**  
RAYMOND L LINDSETH  
PO BOX 183  
DUPUYER, MT 59432  
  
LORNA L LINDSETH  
PO BOX 183  
DUPUYER, MT 59432  
  
PHILIP E JOHNSON  
PO BOX 137  
FORT SHAW, MT 59443-0137  
  
PEGGY J JOHNSON  
PO BOX 137  
FORT SHAW, MT 59443-0137

**Priority Date:** MAY 1, 1914

**Enforceable Priority Date:** MAY 1, 1914

**Type of Historical Right:** USE

**Purpose (use):** STOCK

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Maximum Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** FISH 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		SESWNE	30	28N	9W	PONDERA

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** MILLER DITCH

**Period of Use:** JANUARY 1 to DECEMBER 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			S2SW	13	28N	9W	PONDERA
2			NWNW	22	28N	9W	PONDERA
3			SESE	22	28N	9W	PONDERA
4			W2E2	23	28N	9W	PONDERA
5			N2NENE	23	28N	9W	PONDERA
6			SESE	23	28N	9W	PONDERA
7			W2SWSW	23	28N	9W	PONDERA
8			NW	26	28N	9W	PONDERA
9			N2	27	28N	9W	PONDERA
10			N2SE	27	28N	9W	PONDERA

**Geocodes/Valid:** 26-3981-13-3-03-01-0000 - Y      26-3981-22-1-01-01-0000 - Y  
26-3981-22-3-02-02-0000 - Y      26-3981-23-1-01-01-0000 - Y  
26-3981-23-2-01-01-0000 - Y      26-3981-26-2-01-01-0000 - Y  
26-3981-27-1-01-01-0000 - Y

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**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

129637-00      129645-00

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 12495 RECEIVED 01/20/2004.

OWNERSHIP UPDATE TYPE DOR # 129958 RECEIVED 03/31/2011.

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ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/18/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY PHILIP AND PEGGY JOHNSON.

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ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/18/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY 3 JAY LLC.  
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