

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:** 42A 172132-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
WESLEY L ASHLEY  
588 ROSEBUD CREEK RD  
FORSYTH, MT 59327  
  
LESLI M ASHLEY  
588 ROSEBUD CREEK RD  
FORSYTH, MT 59327  
  
LANELL ASHLEY  
588 ROSEBUD CREEK RD  
FORSYTH, MT 59327  
  
CAROL L ASHLEY  
588 ROSEBUD CREEK RD  
FORSYTH, MT 59327  
  
ALDEN L ASHLEY  
588 ROSEBUD CREEK RD  
FORSYTH, MT 59327  
  
ELIZABETH L HORN  
588 ROSEBUD CREEK RD  
FORSYTH, MT 59327  
  
RED CANYON RANCH INC  
588 ROSEBUD CREEK RD  
FORSYTH, MT 59327

**Priority Date:** MARCH 29, 1938  
**Enforceable Priority Date:** MARCH 29, 1938

**Type of Historical Right:** FILED

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

**Maximum Flow Rate:** 11.48 CFS  
THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**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:** 303.00

**Source Name:** ROSEBUD 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		SWSESW	21	5N	42E	ROSEBUD

**Period of Diversion:** MARCH 1 TO DECEMBER 1  
**Diversion Means:** HEADGATE

**Period of Use:** MARCH 1 to DECEMBER 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	3.00		SWSESE	8	5N	42E	ROSEBUD
2	8.00		W2W2	16	5N	42E	ROSEBUD
3	178.00		E2	17	5N	42E	ROSEBUD
4	36.00		E2	20	5N	42E	ROSEBUD
5	78.00		W2	21	5N	42E	ROSEBUD
<b>Total:</b>	<b>303.00</b>						

**Geocodes/Valid:** 29-1445-08-4-04-03-1020 - Y 29-1445-16-2-02-02-1140 - Y

29-1445-17-1-01-01-0000 - Y

29-1445-20-1-01-01-1120 - Y

29-1445-20-2-01-01-1519 - Y

29-1445-21-3-01-01-0000 - Y

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**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.

172027-00 172132-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/15/1994: MAXIMUM ACRES, PLACE OF USE.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/05/1991.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/18/2000.

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ACCORDING TO INFORMATION IN THE CLAIM FILE, AN EXPANSION IN THE NUMBER OF IRRIGATED ACRES HAS TAKEN PLACE. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.  
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