

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:** 43C 195743-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

PATRICIA D SIMMONS  
PO BOX 30931  
BILLINGS, MT 59107

DONOVAN L SIMMONS  
PO BOX 30931  
BILLINGS, MT 59107

STEPHANIE REYNOLDS  
1443 W ROSCOE  
CHICAGO, IL 60657

MIKE CARLE  
1425 OKLAHOMA STAR TRL W  
BILLINGS, MT 59105-5502

VICKI CARLE  
1425 OKLAHOMA STAR TRL W  
BILLINGS, MT 59105-5502

SHEMER, JACK E TRUST  
% JACK SHEMER, TRUSTEE  
6302 E HILLCREST BLVD  
SCOTTSDALE, AZ 85251

KLEE FAMILY LTD PTNRSHIP  
39 YELLOWSTONE AVE  
BILLINGS, MT 59101

DONALD R LINDSAY  
712 S 2ND ST  
HARDIN, MT 59034

DONOVAN I LINDSAY  
712 S 2ND ST  
HARDIN, MT 59034

STEVEN S THOMPSON  
7817 TRADERS HOLLOW LN  
INDIANAPOLIS, IN 46278

LISA R THOMPSON  
7817 TRADERS HOLLOW LN  
INDIANAPOLIS, IN 46278

LEE C PARK  
308 TUNBRIDGE RD  
BALTIMORE, MD 21212

MARY W PARK  
308 TUNBRIDGE RD  
BALTIMORE, MD 21212

THOMAS PARK  
1443 W ROSCOE  
CHICAGO, IL 60657

ANNA C FROCK  
374 S 160TH ST  
OMAHA, NE 68118

JAMES T FROCK  
374 S 160TH ST  
OMAHA, NE 68118

JACK E SHEMER  
PO BOX 522  
NYE, MT 59061-0522

MADDEN DEVELOPMENT LLC  
PO BOX 497  
NYE, MT 59061

REIKO CALHOUN  
PO BOX 17  
ABSAROKEE, MT 59001

TRANSFER PROCESSED TO ADD OWNERS ONLY. INDIVIDUAL PORTIONS WILL BE RECORDED AFTER FINAL DECREE.

**Priority Date:** JULY 20, 1917

**Enforceable Priority Date:** JULY 20, 1917

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 5.00 CFS

**Maximum Volume:**

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 174.50

**Source Name:** LITTLE ROCKY 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		SWNENW	4	5S	16E	STILLWATER

**Period of Diversion:** APRIL 1 TO NOVEMBER 4

**Diversion Means:** HEADGATE

**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	20.00		NW	4	5S	16E	STILLWATER
2	14.00		NE	5	5S	16E	STILLWATER
3	20.00		SW	32	4S	16E	STILLWATER
4	5.00		NW	32	4S	16E	STILLWATER
5	45.00		SE	32	4S	16E	STILLWATER
6	52.50		NE	32	4S	16E	STILLWATER
7	5.00		NW	33	4S	16E	STILLWATER
8	13.00		SW	33	4S	16E	STILLWATER
<b>Total:</b>	174.50						

**Geocodes/Valid:** 32-0615-32-1-01-20-0000 - Y 32-0615-32-1-01-23-0000 - Y  
32-0615-32-1-01-26-0000 - Y 32-0615-32-1-01-29-0000 - Y  
32-0615-32-1-01-32-0000 - Y 32-0615-32-4-01-08-0000 - Y  
32-0615-32-4-01-12-0000 - Y 32-0615-32-4-01-16-0000 - 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.

195740-00 195741-00 195742-00 195743-00 195744-00 195745-00 195748-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/03/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/20/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/12/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/23/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/30/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/11/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/06/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/08/96.

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**Remarks:**

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/23/95.  
NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/26/96.  
NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/08/96.  
NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/24/96.  
NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/28/99.  
WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/27/01.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 12440 RECEIVED 09/29/2003.  
OWNERSHIP UPDATE TYPE 608 # 23751 RECEIVED 07/28/2005.  
OWNERSHIP UPDATE TYPE 608 # 49116 RECEIVED 08/01/2007.  
OWNERSHIP UPDATE TYPE DOR # 103576 RECEIVED 08/21/2012.  
OWNERSHIP UPDATE TYPE DOR # 109583 RECEIVED 10/12/2012.

THE TIMELY FILED OBJECTION OF THE DEPARTMENT OF NATURAL RESOURCES & CONSERVATION WAS AMENDED BY ALVIN GUTHRIE TO INCLUDE SOURCE. BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.