

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: 76GJ 12681-00 STATEMENT OF CLAIM
Version: 2 -- REEXAMINED

Version Status: ACTIVE

Owners:
DOUGLAS A BUXBAUM
PO BOX 8209
MISSOULA, MT 59807

LINDA S BUXBAUM
PO BOX 8209
MISSOULA, MT 59807

Priority Date: JUNE 1, 1867

Enforceable Priority Date: JUNE 1, 1867

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 2.50 CFS

CASE NO.719 GRANITE COUNTY DECREES ENTIRE FLOW OF BARNES CREEK TO THIS RIGHT.

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 72.00

Source Name: BARNES CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSW	19	10N	12W	GRANITE

Period of Diversion: APRIL 20 TO SEPTEMBER 10

Diversion Means: HEADGATE

Ditch Name: BROGAN NO. 1 DITCH

2		NENENW	31	10N	12W	GRANITE
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Period of Diversion: APRIL 20 TO SEPTEMBER 10

Diversion Means: HEADGATE

Ditch Name: BROGAN NO. 3 DITCH

Period of Use: APRIL 20 to SEPTEMBER 10

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	16.00		W2NESW	19	10N	12W	GRANITE
2	13.00		E2NWSW	19	10N	12W	GRANITE
3	5.00		NWSESW	19	10N	12W	GRANITE
4	6.00		NESWSW	19	10N	12W	GRANITE
5	21.00		NENW	30	10N	12W	GRANITE
6	7.00		NWSESW	30	10N	12W	GRANITE
7	4.00		SWSESW	30	10N	12W	GRANITE
Total:	72.00						

Geocodes/Valid: 46-1878-19-3-01-01-0000 - Y

46-1878-30-2-01-01-0000 - 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.

12680-00 12681-00

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.

12679-00 12681-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/27/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/12/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/02/99.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 12748 RECEIVED 02/12/2004.

OWNERSHIP UPDATE TYPE DOR # 127303 RECEIVED 12/10/2014.

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DITCH NAME MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.
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