

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: 43P 208002-00 STATEMENT OF CLAIM
Version: 2 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: MICHAEL D WAGENAAR
% JOLENE WAGENAAR
RR 1 BOX 1206
HARDIN, MT 59034

JOLENE WAGENAAR
RR 1 BOX 1206
HARDIN, MT 59034-9720

Priority Date: MAY 31, 1971
Enforceable Priority Date: MAY 31, 1971

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 221.00 GPM

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: 13.00

Source Name: BIGHORN RIVER
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	1	NWNENW	19	1S	34E	BIG HORN

Period of Diversion: APRIL 15 TO OCTOBER 15
Diversion Means: PUMP

Period of Use: APRIL 15 to OCTOBER 15

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	6.00		N2N2NE	19	1S	34E	BIG HORN
2	7.00		NENW	19	1S	34E	BIG HORN
Total:	13.00						

Geocodes/Valid: 22-0935-19-2-01-01-0000 - Y 22-0935-19-2-01-02-0000 - Y

Remarks:

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

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIGHORN RIVER, BELOW GREYBULL RIVER DRAINAGE (BASIN 43P) AND USES IT IN THE LITTLE BIGHORN RIVER DRAINAGE (BASIN 430) AND THE BIGHORN RIVER, BELOW GREYBULL RIVER DRAINAGE (BASIN 43P). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CROW INDIAN RESERVATION.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/20/1999.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 69713 RECEIVED 11/07/2008.

OWNERSHIP UPDATE TYPE DOR # 147320 RECEIVED 09/16/2016.

CLAIM WAS IMPROPERLY DESIGNATED TO BASIN 430 BUT WAS PROPERLY INCLUDED IN THE 430 DECREE ISSUED 03/25/2010

Remarks:

THIS INTERBASIN TRANSFER CLAIM RECEIVED OBJECTIONS IN BASIN 430. NO ACTION WILL BE TAKEN ON THIS CLAIM UNTIL IT HAS BEEN DECREED IN ALL BASINS YET TO BE DECREED AND IDENTIFIED BY THE INTERBASIN TRANSFER REMARK.

IT IS NOT CLEAR WHETHER THIS CLAIM IS A STATE-BASED WATER RIGHT OR PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE CROW TRIBE - MONTANA COMPACT. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.