

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: 41H 15820-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: SPAIN FERRIS DITCH CO
PO BOX 785
BELGRADE, MT 59714

Priority Date: JUNE 1, 1892

Enforceable Priority Date: JUNE 1, 1892

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 7.50 CFS

COMBINED FLOW RATE FOR CLAIMS NO. W015819-00, W015820-00, W015821-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURE AND CONVEYANCE SYSTEM.

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 4,559.30

Source Name: WEST GALLATIN 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		NWSENW	14	2S	4E	GALLATIN

Period of Diversion: APRIL 1 TO NOVEMBER 2

Diversion Means: HEADGATE

Ditch Name: SPAIN-FERRIS DITCH

Period of Use: APRIL 1 to NOVEMBER 2

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	296.00		W2	24	1S	4E	GALLATIN
2	330.00			19	1S	5E	GALLATIN
3	613.00			13	1S	4E	GALLATIN
4	401.00			12	1S	4E	GALLATIN
5	422.00			18	1S	5E	GALLATIN
6	300.00		N2	17	1S	5E	GALLATIN
7	75.50		SW	17	1S	5E	GALLATIN
8	320.00		W2	9	1S	5E	GALLATIN
9	376.50			8	1S	5E	GALLATIN
10	285.30			7	1S	5E	GALLATIN
11	160.00		E2E2	1	1S	4E	GALLATIN
12	360.00			31	1N	5E	GALLATIN
13	160.00		S2	5	1S	5E	GALLATIN
14	100.00			6	1S	5E	GALLATIN
15	40.00		SESW	30	1N	5E	GALLATIN
16	160.00		E2W2	25	1S	4E	GALLATIN
17	160.00		W2E2	25	1S	4E	GALLATIN

Total: 4,559.30

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

THE PERIOD OF USE AND PERIOD OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

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

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 W015819-00, W015820-00, W015821-00

A CLERICAL CORRECTION HAS BEEN MADE TO THE POINT OF DIVERSION . BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHT 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.