

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:** 43B 16778-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** CARBELLA DITCH CO  
% SUE WILLIAMS  
9 GRIZZLY MEADOW  
EMIGRANT, MT 59027

**Priority Date:** JUNE 1, 1970  
**Enforceable Priority Date:** JUNE 1, 1970

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 251.00 GPM  
**Maximum Volume:** 30.00 AC-FT  
**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 123.24  
**Source Name:** TOM MINER 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		NENESE	25	7S	6E	PARK

**Period of Diversion:** MAY 15 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** BAILEY DITCHES

2		NWNWSW	30	7S	7E	PARK
---	--	--------	----	----	----	------

**Period of Diversion:** MAY 15 TO OCTOBER 31

**Diversion Means:** HEADGATE

3		NENESE	25	7S	6E	PARK
---	--	--------	----	----	----	------

**Period of Diversion:** MAY 15 TO OCTOBER 31

**Diversion Means:** HEADGATE

THESE MULTIPLE DIVERSION POINTS DO NOT GIVE THE CLAIMANT THE POWER TO USE AT ANY ONE TIME MORE THAN THE FLOW RATE DECREED FOR THAT RIGHT BY THE USE OF THE RIGHT FROM MORE THAN ONE POINT OF DIVERSION.

**Period of Use:** MAY 15 to OCTOBER 31

**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	44.39			SE	19	7S	7E PARK
2	78.85			NE	30	7S	7E PARK
<b>Total:</b>	123.24						

PLACE OF USE IS WITHIN CERTIFICATE OF SURVEY #473, TRACTS 1, 2, 9, 10, 11, 12, 13, 15, 16, 18, 19, 20 & 26 AND CERTIFICATE OF SURVEY #866, TRACTS 17A & 24A.

**Geocodes/Valid:** -- NO VALID GEOCODES --

**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.

16777-00 16778-00

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

---

**Remarks:**

ONE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/26/89.

THE TIMELY FILED OBJECTION OF MARYANN MOTT WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE ACRES IRRIGATED AND POINT OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAYBE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.