

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: 42B 30048492 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: DIAMOND CROSS PROPERTIES LLC
PO BOX 70
BIG HORN, WY 82833

Priority Date: OCTOBER 27, 1896

Enforceable Priority Date: OCTOBER 27, 1896

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 3.34 CFS

THE STIPULATION FILED ON NOVEMBER 23, 2010 IN CASE 42B-64 INCLUDES A ROTATION AGREEMENT CONCERNING THE USE OF THIS WATER RIGHT. A COPY OF THE STIPULATION DETAILING THIS AGREEMENT HAS BEEN ADDED TO THE CLAIM FILE FOR REFERENCE.

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

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 53.06

Source Name: TONGUE 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		NWNENE	23	7S	41E	ROSEBUD

Period of Diversion: APRIL 1 TO DECEMBER 1

Diversion Means: PUMP

Ditch Name: BROWN CATTLE CO DITCH #4

Period of Use: APRIL 1 to DECEMBER 1

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	32.00		W2SW	13	7S	41E	ROSEBUD
2	21.06		SE	14	7S	41E	ROSEBUD
Total:	53.06						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

AUTHORIZATION TO CHANGE THE POINT OF DIVERSION COMPLETED 10/20/1993. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 42B-G162762-00.

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

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 42B PRELIMINARY DECREE ISSUED 02/28/2008.

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 42B 162762-00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 86132 RECEIVED 04/28/2011.