

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:** 43D 17197-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** DOUBLE D DEVELOPMENT OF MT LLC  
1840 MUNGER RD  
HELENA, MT 59602

DONNA J BROWN  
7640 SW WHITFORD DR  
PORTLAND, OR 97223-7084

GREGORY D MADDOX  
8355 US HWY 212  
ROBERTS, MT 59070

JANET M MADDOX  
8355 US HWY 212  
ROBERTS, MT 59070

**Priority Date:** MAY 1, 1907

**Enforceable Priority Date:** MAY 1, 1907

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:**

ONE HALF FLOW OF MAGPIE SPRING.

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

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 50.00

**Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS MAGPIE SPRING.

**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		NWNESW	29	5S	21E	CARBON

**Period of Diversion:** MAY 1 TO OCTOBER 4

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to OCTOBER 4

**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	50.00		N2	29	5S	21E	CARBON

**Total:** 50.00

**Geocodes/Valid:** 10-0534-29-1-03-02-0000 - Y      10-0534-29-1-03-04-0000 - Y  
10-0534-29-2-01-01-0000 - Y      10-0534-29-2-01-02-0000 - 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.

17197-00      17198-00

ON JUNE 30, 1997 DANIEL P WOODARD, GAYLE M STRAUSBERG AND MIKE STRAUSBERG FILED A STIPLULATION WHICH DETAILS THE USE AGREEMENT FOR MAGPIE SPRINGS WATER.

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

**Remarks:**

NOTICE RECEIVED TO REMOVE DECEASE OWNER AMARYLES L WOODARD 11/19/93.

OWNERSHIP OF WATER RIGHT CHANGED BY ORDER OF THE WATER COURT DURING ADJUDICATION OF THE TEMPORARY PRELIMINARY DECREE.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 59334 RECEIVED 02/22/2008.

OWNERSHIP UPDATE TYPE DOR # 138168 RECEIVED 08/04/2015.

OWNERSHIP UPDATE TYPE DOR # 150288 RECEIVED 03/22/2016.