

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: 41D 30063628 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: HARVEY LIVING TRUST
EDWARD & CAROL HARVEY TRUSTEES
PO BOX 114
DIVIDE, MT 59727-0114

Priority Date: MAY 1, 1870
Enforceable Priority Date: MAY 1, 1870

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 168.30 GPM

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

Climatic Area: 5 - LOW

Maximum Acres: 16.00

Source Name: DIVIDE CREEK
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		NWSWNE	4	1S	9W	SILVER BOW

Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: PUMP

Period of Use: MAY 1 to OCTOBER 31

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	3.00		W2NWNE	8	1S	9W	SILVER BOW
2	10.00		W2SWNE	8	1S	9W	SILVER BOW
3	3.00		E2NENE	8	1S	9W	SILVER BOW
Total:	16.00						

Geocodes/Valid: 01-0883-04-3-01-17-0000 - Y 01-0883-08-1-01-10-0000 - Y

Remarks:

THE FOLLOWING WATER RIGHTS ARE SUBJECT TO AN AGREEMENT FILED IN WATER COURT CASE 41D-143, 41D 149, AND 41D 151: 41D 93179-00, 41D 93180-00, 41D 93181-00, 41D 93182-00, 41D 93695-00, 41D 93696-00, 41D 93697-00, 41D 133638-00, 41D 133639-00, 41D 133640-00, 41D 133641-00, 41D 30063628, 41D 30066071.

THE WILLIAM FOREST DECREED WATER RIGHT CLAIMS OF KALSTA NUMBERED 41D 93179-00 AND 41D 93180-00, 41D 93181-00, 41D 93182-00, AND 41D 30066071 MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS POINTS OF DIVERSION AND PLACES FO USE SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT. IN THE EVENT THAT THE FLOW OF DIVIDE CREEK AND ITS TRIBUTARIES IS INSUFFICIENT TO SATISFY THE WATER RIGHTS HAVING A PRIORITY DATE PRIOR TO JUNE 1, 1900, ALL RIGHTS TO MARSHAL SHALL CEASE.

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 41D TEMPORARY PRELIMINARY DECREE ISSUED 04/06/2007.

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41D 93695, 41D 93179.