

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: 41F 30071313 STATEMENT OF CLAIM
Version: 1 -- SPLIT POST DECREE
Version Status: ACTIVE

Owners: ROLLIN W BEARSS
467 WILSON BUTTE RD
GREAT FALLS, MT 59405

Priority Date: JULY 17, 1878
Enforceable Priority Date: JULY 17, 1878

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 118.93 GPM

Maximum Volume:
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 15.00

Source Name: NORTH MEADOW CREEK
Source Type: SURFACE WATER

POINT OF DIVERSION NO. 3 IS ON PARKER CREEK, A TRIBUTARY TO NORTH MEADOW CREEK.

Source Name: PARKER CREEK
Source Type: SURFACE WATER

POINT OF DIVERSION NO. 3 IS ON PARKER CREEK, A TRIBUTARY TO NORTH MEADOW CREEK.

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		SWNESW	2	4S	2W	MADISON

Period of Diversion: MAY 15 TO SEPTEMBER 19

Source Name: NORTH MEADOW CREEK

Diversion Means: HEADGATE

Ditch Name: NUGGET DITCH

2		NWNENE	11	4S	2W	MADISON
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Period of Diversion: MAY 15 TO SEPTEMBER 19

Source Name: NORTH MEADOW CREEK

Diversion Means: HEADGATE

3		NWNENW	13	4S	2W	MADISON
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Period of Diversion: MAY 15 TO SEPTEMBER 19

Source Name: PARKER CREEK

Diversion Means: HEADGATE

POINT OF DIVERSION NO. 3 IS ON PARKER CREEK, A TRIBUTARY TO NORTH MEADOW CREEK.

Period of Use: MAY 15 to SEPTEMBER 19

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	15.00		NWNE	12	4S	2W	MADISON

Total: 15.00

THE PLACE OF USE IS LOCATED IN TRACT A, ADJACENT TO SHINING MOUNTAINS WEST SUBDIVISION.

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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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.

30071223 30071313 30071403 30071493

THE JUNE 9, 1987 STIPULATION FILED BY THE PARTIES SPECIFIES: "PROVIDED THAT WHEN THE WATERS HEREIN ALLOCATED SHALL BE USED FROM THE POINT OF DIVERSION IN PARKER CREEK DESIGNATED AS NW 1/4 NE 1/4 NW 1/4 SECTION 13, T4S, R2W, M.P.M. PRIORITY OF THIS CLAIM AT THIS POINT SHALL BE DEEMED JUNIOR TO THE WATER RIGHTS CLAIMED UNDER CLAIMS NUMBERED 41F-W- 136397 AND 41F-W-136398."

THIS RIGHT IS BASED ON PARENT CLAIM 41F 138554-00. THE WATER RIGHT REPRESENTED BY THE PARENT CLAIM WAS HISTORICALLY USED TO IRRIGATE A TOTAL OF 1119 ACRES WITHIN A SINGLE RANCH. THE PLACE OF USE WAS SUBSEQUENTLY SUBDIVIDED INTO 90 INDIVIDUAL LOTS. THE WATER RIGHT WAS HISTORICALLY ROTATED THROUGHOUT THE PLACE OF USE AT THE DISCRETION OF THE LAND OWNER.

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

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41F 138554-00.