

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 19166-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

ALLAN D MARKUSON  
29 HANGING DIAMOND LN  
JOLIET, MT 59041-9402

LEE ANN MARKUSON  
29 HANGING DIAMOND LN  
JOLIET, MT 59041-9402

WILSON BUILDING CENTER INC  
17 KLAMERT LN  
JOLIET, MT 59041

KATHERINE ROBINSON  
21 KLAMERT LN  
JOLIET, MT 59041

CHRISTOPHER KLAMERT  
21 KLAMERT LN  
JOLIET, MT 59041

SARAH WALLILA  
21 KLAMERT LN  
JOLIET, MT 59041

LEWIS LEATHERS  
7559 CHAROLAIS ST  
BILLINGS, MT 59106-9663

KCS LAND LLP  
17 KLAMERT LN  
JOLIET, MT 59041

SCOTT JOHNSON  
2301 S 45TH ST W  
BILLINGS, MT 59106

VICKI O JOHNSON  
2301 S 45TH ST W  
BILLINGS, MT 59106

THE MARKUSON'S OWN TACT 1 OF CERTIFICATE OF SURVEY 1764. THEY OWN 50% OF THIS WATER RIGHT.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** APRIL 20, 1893

**Enforceable Priority Date:** APRIL 20, 1893

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 2.50 CFS

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

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 150.00

**Source Name:** ROCK CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

ID                      Govt Lot                      Qtr Sec                      Sec                      Twp                      Rge                      County

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESW	3	4S	23E	CARBON

**Period of Diversion:** APRIL 1 TO NOVEMBER 4

**Diversion Means:** HEADGATE

**Ditch Name:** SMITH DITCH

**Period of Use:** APRIL 1 to NOVEMBER 4

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	85.00		SE	26	3S	23E	CARBON
2	30.00		NE	26	3S	23E	CARBON
3	35.00		W2W2	25	3S	23E	CARBON
<b>Total:</b>	150.00						

<b>Geocodes/Valid:</b>	10-0721-25-2-03-01-0901 - Y	10-0721-26-4-01-01-0000 - Y
	10-0721-26-4-02-01-0000 - Y	10-0721-26-4-02-02-0000 - Y
	10-0721-26-4-02-03-0000 - Y	10-0721-26-4-02-04-0000 - Y
	10-0721-26-4-02-05-0000 - Y	10-0721-26-4-04-01-0000 - Y
	10-0721-26-4-04-03-0000 - Y	10-0721-26-4-04-05-0000 - Y
	10-0721-26-4-04-07-0000 - Y	10-0721-26-4-04-09-0000 - 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.

19166-00    19167-00    215068-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/22/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 39144 RECEIVED 03/24/2006.

OWNERSHIP UPDATE TYPE 608 # 45540 RECEIVED 03/12/2007.

OWNERSHIP UPDATE TYPE DOR # 145595 RECEIVED 10/07/2011.

OWNERSHIP UPDATE TYPE DOR # 128145 RECEIVED 06/30/2014.

OWNERSHIP UPDATE TYPE DOR # 131315 RECEIVED 01/09/2015.