

**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:** 43B 30108479 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** MOUNTAIN SKY GUEST RANCH LLC  
PO BOX 1219  
EMIGRANT, MT 59027

**Priority Date:** NOVEMBER 1, 1902

**Enforceable Priority Date:** NOVEMBER 1, 1902

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 2.25 CFS

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

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 123.30

**Source Name:** DRY 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		SWNWNE	14	6S	7E	PARK

**Period of Diversion:** APRIL 28 TO OCTOBER 19

**Diversion Means:** HEADGATE

2		NWSENE	14	6S	7E	PARK
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**Period of Diversion:** APRIL 28 TO OCTOBER 19

**Diversion Means:** HEADGATE

3		NWNENW	14	6S	7E	PARK
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**Period of Diversion:** APRIL 28 TO OCTOBER 19

**Diversion Means:** HEADGATE

4		NENWNW	14	6S	7E	PARK
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**Period of Diversion:** APRIL 28 TO OCTOBER 19

**Diversion Means:** HEADGATE

5		NWNWNW	14	6S	7E	PARK
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**Period of Diversion:** APRIL 28 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 28 to OCTOBER 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	9.50		S2S2SE	11	6S	7E	PARK
2	94.20		NE	14	6S	7E	PARK
3	19.60		E2NW	14	6S	7E	PARK

**Total:** 123.30

**Geocodes/Valid:** 00-0000-00-0-00-00-0000 - 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.

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30108482 30108483 30108484

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**Remarks:**

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

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 43B TEMPORARY PRELIMINARY DECREE ISSUED 04/03/1985.

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 43B 122563-00.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 148464 RECEIVED 10/12/2016.

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 150765 RECEIVED 12/19/2016.

THE TIMELY FILED OBJECTION OF THE UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE POINT OF DIVERSION AND MEANS OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.