

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 30108484 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

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

**Priority Date:** MAY 1, 1919

**Enforceable Priority Date:** MAY 1, 1919

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 2.86 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:** 104.50

**Source Name:** BIG CREEK

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	22	6S	7E	PARK

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

**Diversion Means:** HEADGATE

**Ditch Name:** MUTUAL DITCH

2- SECONDARY		NWSWNW	13	6S	7E	PARK
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**Period of Diversion:** MAY 1 TO JULY 4

**Diversion Means:** DITCH

3- SECONDARY		NWSENE	14	6S	7E	PARK
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**Period of Diversion:** MAY 1 TO JULY 4

**Diversion Means:** DITCH

4- SECONDARY		NWSENE	14	6S	7E	PARK
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**Period of Diversion:** MAY 1 TO JULY 4

**Diversion Means:** DITCH

5- SECONDARY		NENESW	14	6S	7E	PARK
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**Period of Diversion:** MAY 1 TO JULY 4

**Diversion Means:** DITCH

POINTS OF DIVERSIONS 2-5 ARE SECONDARY DITCHES OFF OF THE MUTUAL DITCH WHERE THE FLOW RATE IS MEASURED PURSUANT TO THE BIG CREEK DECREE, CAUSE NO. 3028, PARK COUNTY.

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	8.50		S2S2SE	11	6S	7E	PARK
2	77.00		NE	14	6S	7E	PARK
3	19.00		E2NW	14	6S	7E	PARK

**Total:** 104.50

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

**Remarks:**

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**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

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT CONTAINED IN THE STIPULATION FILED 05/12/1995 AND LOCATED IN THE MASTER'S REPORT IN THE CLAIM OR CASE FILE.

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 01/16/1985.

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 43B 194497-00.

**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.