

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:** 40M 30110079 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** THE NATURE CONSERVANCY  
BIG SKY FIELD OFFICE  
32 S EWING ST SUITE 215  
HELENA, MT 59601-5749

**Priority Date:** JUNE 1, 1898

**Enforceable Priority Date:** JUNE 1, 1898

**Type of Historical Right:** USE

**Purpose (use):** STOCK

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Maximum Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** LITTLE WARM 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		E2SE	22	26N	27E	PHILLIPS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

2		SWSW	23	26N	27E	PHILLIPS
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 to DECEMBER 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			E2SE	22	26N	27E	PHILLIPS
2			SWSW	23	26N	27E	PHILLIPS

**Geocodes/Valid:** 11-3765-22-3-01-01-0000 - Y      11-3765-23-3-01-01-0000 - Y

**Remarks:**

AS REQUESTED IN THE STIPULATION AND AGREEMENT FILED JULY 16, 2012 IN CASE 40M-126 THE FOLLOWING REMARK IS ADDED TO THIS WATER RIGHT: "USE OF THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT ON FILE WITH THE WATER COURT. A COPY OF THE AGREEMENT IS IN THE CLAIM 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 40M PRELIMINARY DECREE ISSUED 03/20/2009.

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 40M 197779-00.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 151911 RECEIVED 01/19/2017.