

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

A version with a more recent operating authority date exists. Contact DNRC for details.

Water Right Number: 41C 23590-00 STATEMENT OF CLAIM
Version: 2 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: ELSER & SONS INC
PO BOX 724
SHERIDAN, MT 59749-0724

R&D LLC
PO BOX 168
SHERIDAN, MT 59749-0168

SEVER/SELL PROCESSED TO ADD NEW OWNER. WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIP AFTER FINAL DECREE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/06/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/05/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/15/85.

Priority Date: APRIL 1, 1867

Enforceable Priority Date: APRIL 1, 1867

Purpose (use): STOCK

Maximum Flow Rate:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

Maximum Volume: THIS WATER 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: MILL 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		NWNENW	30	4S	4W	MADISON

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DITCH

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				1	5S	5W	MADISON
2				2	5S	5W	MADISON
3				35	4S	5W	MADISON
4	96.00		E2	2	5S	5W	MADISON
5	244.00		W2	1	5S	5W	MADISON
6	102.00		W2W2	36	4S	5W	MADISON
7	153.00		SE	35	4S	5W	MADISON
8	37.00		SENE	35	4S	5W	MADISON
Total:	632.00						

Geocodes/Valid: 25-0506-02-1-01-01-0000 - Y 25-0593-36-1-01-01-0000 - Y
25-0593-36-2-01-01-0000 - Y

Remarks:

AUTHORIZATION TO CHANGE (SEVER/SELL) PLACE OF USE COMPLETED 02/26/86. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 26121 RECEIVED 11/16/2005.

OWNERSHIP UPDATE TYPE 641 # 89488 RECEIVED 01/10/2011.

OWNERSHIP UPDATE TYPE 641 # 89489 RECEIVED 01/10/2011.

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 98008 RECEIVED 04/06/2012.