

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: 41H 23751-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: EUGENE D COLE
4165 STAGECOACH TRAIL RD
MANHATTAN, MT 59741-8224

MARY JO COLE
4165 STAGECOACH TRAIL RD
MANHATTAN, MT 59741-8224

BERNARD COLE
6134 TWILIGHT CT
MANHATTAN, MT 59741-8400

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
01/28/2004

Priority Date: JUNE 15, 1870

Enforceable Priority Date: JUNE 15, 1870

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 3.80 CFS

THE WATER RIGHTS FOLLOWING THIS STATEMENT HAVE AN UNDIVIDED 1/2 INTEREST IN A SINGLE WATER RIGHT FOR 3.80 CFS. W023751-00, W113286-00.

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

Climatic Area: 3 - MODERATE

Maximum Acres: 280.00

Source Name: WEST GALLATIN RIVER

Source Type: SURFACE WATER

CASE NO. 3850 GALLATIN COUNTY DECREED THE SOURCE AS A TRIBUTARY OF THE WEST GALLATIN RIVER.

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		SESESW	9	1S	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: BAKER CREEK

SECONDARY POINT OF DIVERSION ON BAKER CREEK KNOWN AS HEEB DITCH . LOCATED IN NWSWSE OF SEC 5, T1S, R4E, GALLATIN COUNTY.

Period of Use: APRIL 1 to SEPTEMBER 30

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	160.00		SE	36	1N	3E	GALLATIN
2	80.00		E2SW	36	1N	3E	GALLATIN
3	40.00		E2W2SW	36	1N	3E	GALLATIN
Total:	280.00						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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.

23749-00 23750-00 23751-00

THE SOURCE AND POINT OF DIVERSION WERE AMENDED BY THE CLAIMANT IN 2006 PURSUANT TO SECTION 85-2-233(6), MCA.

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