

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: 43P 1913-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: KEVIN KENNEY
PO BOX 277
HARDIN, MT 59034

STEPHEN C KENNEY
PO BOX 330
HARDIN, MT 59034

PATRICIA KENNEY
44 US HWY 87
BELT, MT 59412

KIRBY KENNEY
PO BOX 330
HARDIN, MT 59034

CORY KENNEY
424 N CHOTEAU AVE
HARDIN, MT 59034

Priority Date: DECEMBER 31, 1910
Enforceable Priority Date: DECEMBER 31, 1910

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 100.00 GPM

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

Climatic Area: 1 - HIGH

Maximum Acres: 55.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BIGHORN RIVER

Source Type: GROUNDWATER

SOURCE IS COMPOSED OF SEVERAL SPRINGS WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

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		NWNENW	21	1S	33E	BIG HORN

Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: DEVELOPED SPRING

Period of Use: APRIL 1 to NOVEMBER 1

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	36.00		W2NE	21	1S	33E	BIG HORN
2	19.00		E2NW	21	1S	33E	BIG HORN
Total:	55.00						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

1911-00 1913-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/09/2001: SOURCE, VOLUME, PLACE OF USE.

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/29/94.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 04/03/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CHASE YERGER AND JANICE HEATH.

THE BIG HORN COUNTY WATER RESOURCES SURVEY (1947) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDI AERIAL PHOTOGRAPH NO. 179-210 , DATED 09/26/1980 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.