

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 25637-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: CARBELLA DITCH CO
% SUE WILLIAMS
9 GRIZZLY MEADOW
EMIGRANT, MT 59027

Priority Date: JUNE 1, 1970
Enforceable Priority Date: JUNE 1, 1970

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 1.55 CFS
Maximum Volume: 263.50 AC-FT
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 123.24
Source Name: TOM MINER 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		NENESE	25	7S	6E	PARK

Period of Diversion: APRIL 1 TO OCTOBER 19

Diversion Means: HEADGATE

Ditch Name: BAILEY DITCHES

2		NWNWSW	30	7S	7E	PARK
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Period of Diversion: APRIL 1 TO OCTOBER 19

Diversion Means: HEADGATE

3		NENESE	25	7S	6E	PARK
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Period of Diversion: APRIL 1 TO OCTOBER 19

Diversion Means: HEADGATE

THESE MULTIPLE DIVERSION POINTS DO NOT GIVE THE CLAIMANT THE POWER TO USE AT ANY ONE TIME MORE THAN THE FLOW RATE DECREED FOR THAT RIGHT BY THE USE OF THE RIGHT FROM MORE THAN ONE POINT OF DIVERSION.

Period of Use: APRIL 1 to OCTOBER 19

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	44.39		SE	19	7S	7E	PARK
2	78.85		NE	30	7S	7E	PARK
Total:	123.24						

PLACE OF USE IS WITHIN CERTIFICATE OF SURVEY #473, TRACTS 1, 2, 9, 10, 11, 12, 13, 15, 16, 18, 19, 20 & 26 AND CERTIFICATE OF SURVEY #866, TRACTS 17A & 24A.

Geocodes/Valid: -- NO VALID GEOCODES --

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.

25634-00 25636-00 25637-00

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

Remarks:

ONE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/26/89.

THE TIMELY FILED OBJECTION OF MARYANN MOTT WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE ACRES IRRIGATED, POINT OF DIVERSION AND MEAN OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAYBE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.