

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: 43BV 27177-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: A & L PROPERTIES LLC
4921 HOLLAND VIEW DR
FLOWERY BRANCH, GA 30542-5747

FUNSTON, MARY C TRUST
2434 NE MYRTLE ST
JENSEN BEACH, FL 34957

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

Priority Date: JUNE 15, 1901

Enforceable Priority Date: JUNE 15, 1901

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FURROW/FLOOD

Maximum Flow Rate: 1.00 CFS

Maximum Volume: 15.90 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 29.00

Source Name: SWEET GRASS 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		SWNWSW	22	2N	16E	SWEET GRASS

Period of Diversion: APRIL 1 TO AUGUST 31

Diversion Means: HEADGATE

Ditch Name: MESSING-RIPLEY DITCH

DITCH NAME: MESSING-RIPLEY DITCH

THE POINT OF DIVERSION IS LOCATED APPROXIMATELY ON THE WESTERN SECTION LINE OF SECTION 22 AT THE INTERSECTION OF THE NWSW AND SWSW OF SECTION 22.

Period of Use: APRIL 1 to AUGUST 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	4.50		SWSWSW	22	2N	16E	SWEET GRASS
2	3.40		NWNWSE	27	2N	16E	SWEET GRASS
3	10.60		NWNWSE	27	2N	16E	SWEET GRASS
4	4.70		NWNWSE	27	2N	16E	SWEET GRASS
5	5.80		NWNWSE	27	2N	16E	SWEET GRASS
Total:	29.00						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

THE FOLLOWING ELEMENT WAS AMENDED BY ORDER OF THE MONTANA WATER COURT GRANTING A MOTION TO AMEND FILED UNDER SECTION 85-2-233 (6) MCA: POINT OF DIVERSION.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/28/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/22/96.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/15/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/19/96.

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/24/97.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/26/98.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/17/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 4086 RECEIVED 07/16/2002.

OWNERSHIP UPDATE TYPE 608 # 25589 RECEIVED 10/19/2005.

ALTHOUGH NOT OBJECTED TO, THE FLOW RATE HAS BEEN REDUCED AS SPECIFIED BY THE STIPULATION FILED BY THE PARTIES ON APRIL 13, 1987. THIS MAY BE HEARD AT THE PRELIMINARY DECREE STAGE.