

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: 41G 30570-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: BFR FAMILY LIMITED PARTNERSHIP LLLP
5839 LONE PEAK DR
EVERGREEN, CO 80439-5531

Priority Date: JULY 1, 1913

Enforceable Priority Date: JULY 1, 1913

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 5.00 GPM

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 90.00

Source Name: SPRING, UNNAMED TRIBUTARY OF SOUTH WILLOW CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS WALTERS SPRING

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		SESENW	28	2S	2W	MADISON

Period of Diversion: MAY 15 TO OCTOBER 19

Diversion Means: DIKE

Period of Use: MAY 15 to OCTOBER 19

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	80.00		W2NE	28	2S	2W	MADISON
2	10.00		SWSWSE	21	2S	2W	MADISON

Total: 90.00

Geocodes/Valid: 25-0789-21-2-01-01-0000 - Y 25-0789-28-1-01-01-0000 - Y

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.

30559-00	30560-00	30561-00	30562-00	30563-00	30564-00	30565-00
30566-00	30567-00	30568-00	30569-00	30570-00	30571-00	30572-00
30574-00						

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/25/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/24/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/16/92.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 27187 RECEIVED 11/29/2005.

OWNERSHIP UPDATE TYPE DOR # 100189 RECEIVED 08/15/2011.

Remarks:

THIS CLAIM PRESENTS ISSUES OF FACT AND LAW THAT MAY BE ADDRESSED AT THE OBJECTION STAGE. IT APPEARS THAT 82.00 ACRES ARE ACTUALLY IRRIGATED AND PROBLEMS COULD EXIST WITH FLOW RATE AND VOLUME. TO ASSURE THE ORDERLY ADMINISTRATION OF WATER RIGHTS, THE WATER COURTS WILL SET A HEARING TO DETERMINE THESE ISSUES IF NO OBJECTIONS ARE MADE.