

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 33348-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** STEARNS/BINCKLEY LIVING TRUST  
710 MELVILLE RD  
BIG TIMBER, MT 59011-7737

**Priority Date:** MAY 29, 1909

**Enforceable Priority Date:** MAY 29, 1909

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.00 CFS

**Maximum Volume:** 176.00 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 44.00

**Source Name:** SWEET GRASS CREEK

**Source Type:** SURFACE WATER

**Source Name:** BASIN 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		SWNESE	34	5N	13E	SWEET GRASS

**Period of Diversion:** MAY 1 TO OCTOBER 19

**Source Name:** BASIN CREEK

**Diversion Means:** HEADGATE

**Ditch Name:** HOYEM DITCH

2		SENESE	34	5N	13E	SWEET GRASS
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**Period of Diversion:** MAY 1 TO OCTOBER 19

**Source Name:** SWEET GRASS CREEK

**Diversion Means:** HEADGATE

**Ditch Name:** HART-PARKER DITCH

DITCH NAME FOR DIVERSION NO. 01 IS: HOYEM DITCH

DITCH NAME FOR DIVERSION NO. 02 IS: HART-PARKER DITCH

POINT OF DIVERSION 01 IS ON BASIN CREEK.

**Period of Use:** MAY 1 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	34.00		NENE	2	4N	13E	SWEET GRASS
2	5.00		NWNW	2	4N	13E	SWEET GRASS
3	5.00		SENESE	2	4N	13E	SWEET GRASS
<b>Total:</b>	44.00						

**Geocodes/Valid:** 40-1311-02-1-01-01-0000 - Y

**Remarks:**

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

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/18/91.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 79398 RECEIVED 05/20/2009.

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**Remarks:**