

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 34479-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: CIRCLE B LLC
% FRED BORMAN
PO BOX 17
BIGHORN, MT 59010

Priority Date: MAY 1, 1929
Enforceable Priority Date: MAY 1, 1929

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 10.03 CFS

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: 80.00

Source Name: BIGHORN RIVER
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		SENWSW	34	5N	34E	TREASURE

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: PUMP

Period of Use: APRIL 1 to SEPTEMBER 30

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	35.00		SE	34	5N	34E	TREASURE
2	45.00		SW	34	5N	34E	TREASURE

Total: 80.00

Geocodes/Valid: 33-1436-34-1-01-01-0000 - 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.

34479-00 208823-00

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

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/17/99.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/11/00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/31/01.

THE CLAIMED FLOW RATE IS 56.25 GPM PER ACRE. THE CLAIMED FLOW RATE CANNOT BE CONFIRMED.

THE CLAIMED FLOW RATE MAY BE QUESTIONABLE. THE FLOW RATE SHOULD BE THE CAPACITY OF THE PUMP. WATER RIGHT 208823- 00 FOR IRRIGATION USE HAS A DIFFERENT FLOW RATE.

THIS CLAIM AND 208823- 00 APPEAR TO USE THE SAME PUMP AND POINT OF DIVERSION. THE FLOW RATE SHOULD BE THE SAME FOR BOTH CLAIMS.

CLAIM 208823- 00 APPEARS TO BE A POST 07/01/1973 CHANGE IN FLOW RATE AND POINT OF DIVERSION. THIS CLAIM APPEARS TO USE THE SAME POINT OF DIVERSION AND PUMP.