

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 36723-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: DAVID PFOHL
148 ELBOW CREEK RD
LIVINGSTON, MT 59047-8701

SHERRILL PFOHL
148 ELBOW CREEK ROAD
LIVINGSTON, MT 59047

HARVEY R LEWIS
152 ELBOW CREEK RD
LIVINGSTON, MT 59047

ELIZABETH LEWIS
152 ELBOW CREEK RD
LIVINGSTON, MT 59047

GUPTON, GUY W JR ESTATE
% WALTER T GUPTON
1266 PACES FOREST DR NW
ATLANTA, GA 30327-2234

CHRISTOPHER W DOUGLAS
1627 W MAIN ST # 300
BOZEMAN, MT 59715-4011

GUY W GUPTON
2405 WOODWARD WAY NW
ATLANTA, GA 30305

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

Priority Date: SEPTEMBER 1, 1880
Enforceable Priority Date: SEPTEMBER 1, 1880

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 1.50 CFS

Maximum Volume:
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 234.00

Source Name: ELBOW 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		NWSESE	21	5S	9E	PARK

Period of Diversion: MAY 1 TO OCTOBER 4

Diversion Means: HEADGATE

Ditch Name: MELIN-NELSON DITCH

Period of Use: MAY 1 to OCTOBER 4

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	14.50		NESE	4	5S	9E	PARK
2	48.00		S2SE	4	5S	9E	PARK
3	80.00		E2NE	9	5S	9E	PARK
4	8.50		E2W2NE	9	5S	9E	PARK
5	56.00		E2SE	9	5S	9E	PARK
6	27.00		E2W2SE	9	5S	9E	PARK
Total:	234.00						

Geocodes/Valid:	00-0000-00-0-00-00-0000 - Y	49-0520-09-4-10-01-0000 - Y
	49-0520-09-4-20-01-0000 - Y	49-0520-09-4-50-01-0000 - Y
	49-0520-09-4-60-01-0000 - 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.

36723-00 36725-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/25/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/19/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/07/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/26/96.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/30/99.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/02/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 30391 RECEIVED 01/13/2006.

OWNERSHIP UPDATE TYPE 608 # 40189 RECEIVED 07/27/2006.

OWNERSHIP UPDATE TYPE DOR # 97711 RECEIVED 12/28/2009.