

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: 41A 40026-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: RUTH M JACKSON
PO BOX 240009
DELL, MT 59724-0009

M BAR Y LAND & CATTLE LLC
392 STANDBY CREEK RD
BUTTE, MT 59701-9709

ORBAN G JACKSON
PO BOX 240009
DELL, MT 59724-0009

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: MAY 15, 1888
Enforceable Priority Date: MAY 15, 1888

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 3.75 CFS

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

Climatic Area: 5 - LOW

Maximum Acres: 165.00

Source Name: RED ROCK 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		NENENE	31	13S	8W	BEAVERHEAD

Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: HUNGATE DITCH

Period of Use: MAY 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	80.00		NW	30	13S	8W	BEAVERHEAD
2	85.00		NE	25	13S	9W	BEAVERHEAD
Total:	165.00						

Geocodes/Valid: 18-0045-25-1-01-01-0000 - Y 18-0045-25-2-02-01-0000 - Y
18-0046-30-2-01-01-0000 - 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.

40024-00 40026-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/20/2010. GARY AND PATTY MILD TO ORBAN G AND RUTH M JACKSON - ORBAN G AND RUTH M JACKSON RECEIVED TRACT 1B CERTIFICATE OF SURVEY 1602BA WITH 100% OF THE WATER RIGHT. TRACT 2C CERTIFICATE OF SURVEY 1642BA IS SEVERED

Remarks:

FROM THIS WATER RIGHT.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/22/1995.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 16977 RECEIVED 08/18/2004.

OWNERSHIP UPDATE TYPE 608 # 40666 RECEIVED 08/01/2006.

OWNERSHIP UPDATE TYPE DOR # 85900 RECEIVED 04/20/2010.

OWNERSHIP UPDATE TYPE DOR # 108212 RECEIVED 12/11/2012.

OWNERSHIP UPDATE TYPE DOR # 139590 RECEIVED 01/22/2016.

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ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 04/08/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY M BAR Y LAND AND CATTLE LLC.

USDA AERIAL PHOTOGRAPH NO. 779-259 , DATED 09/17/1979 APPEARS TO INDICATE 122.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-226 , DATED 08/18/1965 , APPEARS TO INDICATE 124.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
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