

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:** 41P 41945-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** CHARLES H MULVANEY  
PO BOX 241  
SHELBY, MT 59474-0241  
  
LISA MULVANEY  
PO BOX 241  
SHELBY, MT 59474-0241

**Priority Date:** OCTOBER 30, 1981

**Enforceable Priority Date:** OCTOBER 30, 1981

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE FILING DATE OF THE STATEMENT OF CLAIM. THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 12.00 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:** 8.00

**Source Name:** SPRING, UNNAMED TRIBUTARY OF MARIAS RIVER

**Source Type:** GROUNDWATER

**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		NWNESW	29	31N	2W	TOOLE

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** PUMP

**Period of Use:** APRIL 1 to OCTOBER 1

**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	5.00		NWSENW	29	31N	2W	TOOLE
2	3.00		NESWNW	29	31N	2W	TOOLE

**Total:** 8.00

**Geocodes/Valid:** 21-4317-29-2-01-01-0000 - Y      21-4317-29-3-01-01-0000 - Y

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

41944-00      41945-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/15/90.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/31/00.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 114512 RECEIVED 02/15/2013.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.  
ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 07/24/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY FRANK CUTLER.

---

**Remarks:**

USDA AERIAL PHOTOGRAPH NO(S). 178-051 , DATED 08/10/1979 , APPEARS TO INDICATE 0.00 ACRES  
IRRIGATED.