

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:** 40M 43690-00 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** FREDERICK F KINDLE  
PO BOX 257  
MALTA, MT 59538-0257

MARY A KINDLE  
PO BOX 257  
MALTA, MT 59538-0257

KINDLE BROTHERS LLP  
7361 BOWDOIN RD  
MALTA, MT 59538

OWNER FREDERICK F KINDLE RETAINED. CONTRACT FOR DEED INTEREST.  
OWNER MARY A KINDLE RETAINED. CONTRACT FOR DEED INTEREST.

**Priority Date:** DECEMBER 31, 1956

**Enforceable Priority Date:** DECEMBER 31, 1956

**Type of Historical Right:** USE

**Purpose (use):** STOCK

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Maximum Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF GILBERTSON COULEE

**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         |                 | SESENE         | 18         | 30N        | 33E        | PHILLIPS      |

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ON STREAM

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
|                 | SESENE         | 18         | 30N        | 33E        | PHILLIPS      |

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 18.00 FEET

**Depth:** 15.00 FEET

**Surface Area:** 2.10 ACRES

**Current Capacity:** 12.60 ACRE-FEET

THE DAM EXTENDS INTO THE NESENE SEC 18 TWP 30N RGE 33E PHILLIPS COUNTY.

**Period of Use:** MAY 1 to DECEMBER 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         |              |                 | SESENE         | 18         | 30N        | 33E        | PHILLIPS      |

**Geocodes/Valid:** 11-4242-18-2-01-01-0000 - Y

**Remarks:**

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

**OWNERSHIP UPDATE RECEIVED**

**Remarks:**

OWNERSHIP UPDATE TYPE DOR # 86306 RECEIVED 10/26/2009.