

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: 41S 48827-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: FRED W COLVER
42039 MONTANA HWY 81
LEWISTOWN, MT 59457

Priority Date: JUNE 9, 1895
Enforceable Priority Date: JUNE 9, 1895

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.65 CFS
Maximum Volume: 190.00 AC-FT
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 69.88
Source Name: WARM SPRING 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		SWSWNE	34	17N	18E	FERGUS

Period of Diversion: MARCH 1 TO AUGUST 31
Diversion Means: HEADGATE

Period of Use: MARCH 1 to AUGUST 31

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	8.75		NWSWNE	34	17N	18E	FERGUS
2	2.50		SWNWNE	34	17N	18E	FERGUS
3	18.00		W2SENW	34	17N	18E	FERGUS
4	7.50		NESENW	34	17N	18E	FERGUS
5	3.10		SESENW	34	17N	18E	FERGUS
6	19.40		E2SWNW	34	17N	18E	FERGUS
7	5.00		SENWNW	34	17N	18E	FERGUS
8	5.00		SWNENW	34	17N	18E	FERGUS
9	0.63		NENWSW	34	17N	18E	FERGUS
Total:	69.88						

Geocodes/Valid: 08-2685-34-1-03-01-0000 - Y

Remarks:

THE MAXIMUM ACRES AND PLACE OF USE HAVE BEEN RE-EXAMINED BY THE DNRC UNDER MONTANA WATER COURT ORDER DATED AUGUST 29, 1997. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10210 RECEIVED 07/23/2002.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
THE FERGUS COUNTY WATER RESOURCES SURVEY (1970) (UNPUBLISHED) APPEARS TO INDICATE 59.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.