

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: 43D 3530-00 STATEMENT OF CLAIM
Version: 2 -- REEXAMINED

Version Status: ACTIVE

Owners: 9-G LAND AND CATTLE CO LLC
C/O ROBERT & MARY FOGLESONG
884 TIMBER CREEK DR
COLUMBUS, MS 39702-8033

Priority Date: JUNE 20, 1892

Enforceable Priority Date: JUNE 20, 1892

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 280.50 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: 243.06

Source Name: ROCK CREEK, WEST FORK

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		NENWNW	7	8S	20E	CARBON

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: MCDONALD DITCH

Period of Use: APRIL 1 to OCTOBER 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	36.00		SWSW	26	6S	20E	CARBON
2	40.00		SESW	26	6S	20E	CARBON
3	9.00	4		26	6S	20E	CARBON
4	19.44	3		26	6S	20E	CARBON
5	8.00	16		26	6S	20E	CARBON
6	22.49	15		26	6S	20E	CARBON
7	26.59	9		26	6S	20E	CARBON
8	20.30	8		26	6S	20E	CARBON
9	40.82	12		27	6S	20E	CARBON
10	20.42	5		27	6S	20E	CARBON
Total:	243.06						

THE STIPULATION FILED BY THE PARTIES ON JANUARY 20, 1999 SPECIFIES THAT "A MAXIMUM OF 80.00 ACRES OF THE ABOVE LAND MAY BE IRRIGATED WITH THIS RIGHT IN ANY ONE IRRIGATION SEASON." A COPY OF THIS STIPULATION HAS BEEN ADDED TO THE CLAIM FILE.

Geocodes/Valid: 10-0446-26-3-03-01-0000 - Y 10-0446-27-1-01-01-0000 - 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.

3529-00 3530-00 3531-00

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

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/18/90.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 137518 RECEIVED 10/29/2015.

CONVEYANCE TO THE PLACE OF USE CANNOT BE DETERMINED FROM INFORMATION IN THE CLAIM FILE. IT APPEARS THERE MAY BE SECONDARY POINTS OF DIVERSION AND NATURAL CARRIERS THAT NEED TO BE IDENTIFIED.