

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: 41B 88699-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

ROBERT N MILLER
175 ARABIAN LN
DILLON, MT 59725-8315

WILLIAM KRIEDEL
4600 CARRIGAN LN
DILLON, MT 59725-8573

FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736-0834

LYNN HIRSCHY
PO BOX 834
JACKSON, MT 59736-0834

DEBRA L SCHNEE
PO BOX 493
SHELBY, MT 59474

GREGORY L SCHNEE
PO BOX 493
SHELBY, MT 59474

JOSEPH C MATTUSKI
10 SOUTHWIND LN
DILLON, MT 59725-8376

HELEN R MATTUSKI
10 SOUTHWIND LN
DILLON, MT 59725-8376

BATCHELOR, STEPHEN O & MARILYN M REVOCABLE TRUST
STEVEN & MARILYN BATCHELOR, TRUSTEES
PO BOX 246
LLANO, CA 93544-0246

CODY SCHNEE
PO BOX 227
DILLON, MT 59725-0227

LACEY SCHNEE
PO BOX 227
DILLON, MT 59725-0227

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

Priority Date: DECEMBER 18, 1963

Enforceable Priority Date: DECEMBER 18, 1963

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION (GW3). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 6.25 CFS

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

Climatic Area: 3 - MODERATE

Maximum Acres: 345.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BLACKTAIL DEER 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		NWNENW	6	8S	8W	BEAVERHEAD

Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

WATER DIVERTED FROM SPRING IS CONVEYED TO BLACKTAIL DEER CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NESWSE SEC 36 TWP 8S RGE 8W BEAVERHEAD COUNTY.

Period of Use: MAY 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	65.00		W2SW	25	7S	9W	BEAVERHEAD
2	35.00		SESE	26	7S	9W	BEAVERHEAD
3	80.00		E2NE	35	7S	9W	BEAVERHEAD
4	40.00		SWNE	36	7S	9W	BEAVERHEAD
5	120.00		NW	36	7S	9W	BEAVERHEAD
6	5.00		NWSE	36	7S	9W	BEAVERHEAD
Total:	345.00						

Geocodes/Valid:	18-0325-25-3-03-01-0000 - Y	18-0325-35-1-01-25-0000 - Y
	18-0325-35-1-05-10-0000 - Y	18-0325-36-1-03-01-0000 - Y
	18-0325-36-2-01-25-0000 - Y	18-0325-36-2-02-04-0000 - Y
	18-0325-36-2-02-06-0000 - Y	18-0325-36-2-02-08-0000 - 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.

88694-00 88697-00 88698-00 88699-00 88700-00 88703-00 179294-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/17/2007. J ERIC ANDERSON TO J BLAINE ANDERSON JR-TRANSFER-PROPERTY LOCATED IN SEC. 36 T7S R9W.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/04/2008. TRANSFER OUID# 55670 PERTAINS TO TRACT A-1, COS # 1119HR FILED ON 06/05/2000, FOR SW SEC 25, SE SEC 26, NE SEC 35, AND NW SEC 36, TWP 7S, RGE 9W.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/06/1998.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/01/1991.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/15/1990.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/09/1990.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 28460 RECEIVED 01/19/2006.

OWNERSHIP UPDATE TYPE 608 # 48867 RECEIVED 08/17/2007.

OWNERSHIP UPDATE TYPE 608 # 55670 RECEIVED 03/04/2008.

OWNERSHIP UPDATE TYPE DOR # 111800 RECEIVED 07/05/2012.

OWNERSHIP UPDATE TYPE DOR # 143984 RECEIVED 11/19/2013.

OWNERSHIP UPDATE TYPE DOR # 126511 RECEIVED 10/01/2014.

OWNERSHIP UPDATE TYPE DOR # 133459 RECEIVED 06/11/2015.

OWNERSHIP UPDATE TYPE DOR # 143988 RECEIVED 04/25/2016.

OWNERSHIP UPDATE TYPE DOR # 144672 RECEIVED 07/05/2016.

OWNERSHIP UPDATE TYPE DOR # 144671 RECEIVED 07/05/2016.

THE CLAIMED FLOW RATE MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THIS CLAIM INDICATES A FLOW RATE OF 2.5 CFS.

THE CLAIMED PLACE OF USE APPEARS TO BE OWNED BY PARTIES OTHER THAN THE CLAIMANT(S) ACCORDING TO MONTANA STATE CADASTRAL DATA. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

USDA AERIAL PHOTOGRAPH NO(S). 779-244 , DATED 09/17/1979 , APPEARS TO INDICATE 305.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

Remarks:

AERIAL PHOTOGRAPH NO(S). CXM-6FF-176 , DATED 08/18/1965 , APPEARS TO INDICATE 304.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.