

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: 41A 94931-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: HUNTSMAN, EVON W FAMILY LLC
PO BOX 240052
DELL, MT 59724-0052

Priority Date: JUNE 30, 1890

Enforceable Priority Date: JUNE 30, 1890

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 5.00 CFS

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

Climatic Area: 5 - LOW

Maximum Acres: 160.00

Source Name: SPRING, UNNAMED TRIBUTARY OF RED ROCK RIVER

Source Type: SURFACE WATER

ALSO KNOWN AS BLAKE SPRING

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		SENWNW	23	14S	3W	BEAVERHEAD

Period of Diversion: MAY 1 TO APRIL 30

Diversion Means: HEADGATE

Period of Use: MAY 1 to APRIL 30

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	80.00		W2NW	14	14S	3W	BEAVERHEAD
2	10.00		NWSW	14	14S	3W	BEAVERHEAD
3	70.00		NE	15	14S	3W	BEAVERHEAD
Total:	160.00						

Geocodes/Valid: 18-0034-14-2-01-01-0000 - Y 18-0034-14-3-02-01-0000 - Y
18-0034-15-1-01-01-0000 - 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.

94924-00 94931-00 94941-00 94942-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/26/1996.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 90771 RECEIVED 08/11/2010.

AN AMENDMENT WAS SUBMITTED ON 10/17/2012, REQUESTING TO AMEND THE PLACE OF USE AND MAXIMUM ACRES. THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN APPROVED BY THE BLM, WHO MAY BE A POTENTIAL OWNER OF A PORTION OF THE HISTORIC CLAIMED PLACE OF USE.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

Remarks:

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 25 TO OCTOBER 5.

USDA AERIAL PHOTOGRAPH NO(S). 779-187 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-121 , DATED 08/14/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.