

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: 411 100357-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: WINSTON REALTY LLC
522 JETWAY DR
BELGRADE, MT 59714-9152

Priority Date: AUGUST 25, 1904
Enforceable Priority Date: AUGUST 25, 1904

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: 3 - MODERATE

Maximum Acres: 145.00

Source Name: BADGER CREEK
Source Type: SURFACE WATER

BEAVER CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER FROM BADGER CREEK TO THE POINT OF DIVERSION.

ALSO KNOWN AS VOSE GULCH

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		SWNWSE	11	8N	1W	BROADWATER

Period of Diversion: APRIL 15 TO OCTOBER 19

Diversion Means: HEADGATE

Ditch Name: INDIAN CREEK (MUFLY) DITCH
DITCH NAME: INDIAN CREEK (MUFLY) DITCH

Period of Use: APRIL 15 to OCTOBER 19

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	46.00		SE	12	8N	1W	BROADWATER
2	22.00		SW	12	8N	1W	BROADWATER
3	30.00		NE	13	8N	1W	BROADWATER
4	47.00		NW	13	8N	1W	BROADWATER
Total:	145.00						

Geocodes/Valid: 43-1689-12-3-01-35-0000 - Y 43-1689-13-1-01-01-0000 - 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.

100357-00 100358-00

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 85127 RECEIVED 03/17/2011.

OWNERSHIP UPDATE TYPE DOR # 109064 RECEIVED 12/26/2012.

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

Remarks:

THE BROADWATER COUNTY WATER RESOURCES SURVEY (1956) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO. 479-53, DATED 08/29/79, APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

WATER IS NOT DIVERTED FROM THE SOURCE CLAIMED. A HISTORICAL APPROPRIATION FROM THE CLAIMED SOURCE CANNOT BE CONFIRMED.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.