

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: 41C 100954-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: GARY L GIEM
82 GIEM LN
TWIN BRIDGES, MT 59754-9718

Priority Date: APRIL 30, 1888
Enforceable Priority Date: APRIL 30, 1888

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 5.85 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: 60.00

Source Name: RUBY RIVER
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		NWSE	33	9S	3W	MADISON

Period of Diversion: MAY 15 TO SEPTEMBER 19
Diversion Means: HEADGATE

Period of Use: MAY 15 to SEPTEMBER 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	40.00		NE	28	9S	3W	MADISON
2	20.00		S2	28	9S	3W	MADISON
Total:	60.00						

Geocodes/Valid: 25-0152-28-1-01-01-0000 - Y

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/13/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/01/98.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/27/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 79444 RECEIVED 06/01/2009.

THIS CLAIM PRESENTS ISSUES OF FACT AND LAW THAT MAY BE ADDRESSED AT THE OBJECTIONS STAGE. THE FLOW RATE APPEARS EXCESSIVE. TO ASSURE THE ORDERLY ADJUDICATION OF WATER RIGHTS, THE WATER COURT WILL SET A HEARING TO DETERMINE THIS ISSUE IF NO OBJECTIONS ARE MADE.