

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: 41H 6705-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: JOSEPH H DELANEY
5736 63RD AVE NE
SEATTLE, WA 98105-2040

BARBARA S DELANEY
5736 63RD AVE NE
SEATTLE, WA 98105-2040

SPAULDING BROOK RANCH LLC
PO BOX 3111
BOZEMAN, MT 59772-3111

ANDY DOUMA
3811 W CREEK RD
BELGRADE, MT 59714

* OWNERSHIP OF WATER RIGHT CHANGED BY ORDER OF THE WATER COURT DURING ADJUDICATION OF THE TEMPORARY PRELIMINARY DECREE.

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

Priority Date: MARCH 18, 1924
Enforceable Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 2.50 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: 495.00

Source Name: WEST GALLATIN 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		SESWE	19	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

Period of Use: APRIL 1 to SEPTEMBER 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		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY ORDER OF THE MONTANA WATER COURT GRANTING A MOTION TO AMEND FILED UNDER SECTION 85-2-233(6)MCA: PLACE OF USE AND ACRES IRRIGATED.

8030 WEAVER, J.P. WEST GALLATIN RIVER 1924/03/18 100 1121 41H-WEST GALLATIN RIVER RIGHTS OVERCLAIMED (DECREE EXCEEDED), CURRENTLY IN CASES FOR RESOLUTION.

Remarks:

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. 6705-00, 150751-00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 13009 RECEIVED 03/02/2004.