

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:** 43BV 106311-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** PITCHFORK LIMITED PARTNERSHIP  
682 WHEELER CREEK ROAD  
BIG TIMBER, MT 59011

**Priority Date:** JUNE 1, 1892

**Enforceable Priority Date:** JUNE 1, 1892

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 6.25 CFS

**Maximum Volume:** 1,500.00 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 426.00

**Source Name:** SWEET GRASS CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	34	5N	13E	SWEET GRASS

**Period of Diversion:** MAY 15 TO SEPTEMBER 19

**Diversion Means:** HEADGATE

**Ditch Name:** HART-PARKER DITCH

**Period of Use:** MAY 15 to SEPTEMBER 19

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	100.00		S2	19	4N	14E	SWEET GRASS
2	150.00		S2	19	4N	14E	SWEET GRASS
3	80.00		S2	18	4N	14E	SWEET GRASS
4	40.00		NW	18	4N	14E	SWEET GRASS
5	56.00		SW	18	4N	14E	SWEET GRASS
<b>Total:</b>	<b>426.00</b>						

**Geocodes/Valid:** -- NO VALID GEOCODES --

**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.

106311-00 106312-00 106313-00

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 8460 RECEIVED 05/01/2003.

THIS CLAIM AND THE CLAIM NUMBERS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THESE CLAIMS, HOWEVER, SHALL NOT EXCEED THE 250 MI AS DECREED IN CASE NO. 342 . THE COURT, AT THIS TIME, MAKES NO DETERMINATION OF CORRECT PREDECESSORS IN INTEREST OR THE CORRECT DIVISION OF THIS WATER RIGHT AMONG CLAIMANTS. W150310-00

THIS APPROPRIATION OF WATER USES WATER IN THE SWEET GRASS CREEK BASIN (43BV) AND IN THE UPPER YELLOWSTONE RIVER BASIN (43B). AS A RESULT, IT WILL BE DECREED IN BOTH BASINS AND SUBJECT TO OBJECTION IN EITHER BASIN BEFORE BECOMING FINAL.

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**Remarks:**

ON APRIL 22, 1987 THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FILED A MEMORANDUM STATING THAT THE POINT OF DIVERSION IS ERRONEOUS. THIS WILL BE HEARD AFTER PROPER NOTICE ON THE NEXT OBJECTION LIST.