

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:** 43BJ 106350-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** WINDBREAK RANCH LLC  
PO BOX 944  
BIG TIMBER, MT 59011

CAROLE SUNSHINE  
PO BOX 255  
BIG TIMBER, MT 59011

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

**Priority Date:** MAY 1, 1901

**Enforceable Priority Date:** MAY 1, 1901

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.25 CFS

**Maximum Volume:** 525.00 AC-FT

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 444.00

**Source Name:** BOULDER 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		SWSESE	3	1S	14E	SWEET GRASS

**Period of Diversion:** APRIL 1 TO NOVEMBER 4

**Diversion Means:** HEADGATE

**Ditch Name:** POST-KELLOG DITCH

DITCH NAME: POST-KELLOG DITCH

**Period of Use:** APRIL 1 to NOVEMBER 4

**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	120.00	1	NE	30	1N	14E	SWEET GRASS
2	152.00		SE	30	1N	14E	SWEET GRASS
3	15.00		NE	31	1N	14E	SWEET GRASS
4	40.00		SW	30	1N	14E	SWEET GRASS
5	80.00		NW	30	1N	14E	SWEET GRASS
6	37.00		NW	31	1N	14E	SWEET GRASS
<b>Total:</b>	<b>444.00</b>						

**Geocodes/Valid:** 40-1020-30-1-02-01-0000 - Y      40-1020-30-4-01-03-0000 - Y  
40-1020-31-2-01-02-0000 - 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.

106350-00    106351-00

THIS APPROPRIATION OF WATER USES WATER IN THE BOULDER RIVER BASIN (43BJ) AND 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.

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

**Remarks:**

ONE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/27/95.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 12219 RECEIVED 09/15/2003.

OWNERSHIP UPDATE TYPE 608 # 41494 RECEIVED 08/31/2006.

OWNERSHIP UPDATE TYPE 608 # 57148 RECEIVED 01/03/2008.

OWNERSHIP UPDATE TYPE 608 # 59307 RECEIVED 01/30/2008.

OWNERSHIP UPDATE TYPE DOR # 95544 RECEIVED 12/17/2009.