### STATE OF MONTANA

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

# **GENERAL ABSTRACT**

Version Status: ACTIVESimple Simple Sim	Water Right Numb	ter Right Number: 410 109745-00 STATEMENT OF CLAIM Version: 2 POST DECREE							
Owners: EDWARD J KELLY PO BOX 174 FORT BENTON, MT 59442   STEVEN R KELLY PO BOX 1044 FORT BENTON, MT 59442   STEVEN R KELLY PO BOX 1044 FORT BENTON, MT 59442   Priorie Jac MARCH 1, 1919   Enforeable Torrigiton MARCH 1, 1919   Trigiton NRIGATION   Irrigiton RRIGATION   Irrigiton FLOO   Maximu Flow Rate 32 C FS   Maximu Flow Rate 32 C FS   Maximu Flow Rate 100   Store Name TETON RIVER   Store Name TETON RIVER   Store Name SURFACE WATER   Naminu Flow Rate 3.00   Store Name SURFACE WATER   Store Name									
Pioni Box 1044 FORT BENTON, MT 59442     Priori Box 1044 FORT BENTON, MT 59442     Priori Box 1041 1919     Inforceable Pictres WARCH 1, 1919     Information Tope Information Pictres Pictres Warter Representation Pictres Pictres Varter Pictres Varter States Pictres Varter Pictres Pictres Varter Pictres Varter Pictres Varter Pictres Varter Pictres Varter Pictres	Owners:		EDWARD J KELLY PO BOX 174						
MARCH 1, 1919Type of Historical Right: USEType of Historical Right: USEPurpose (use):IRRIGATIONIrrigation Type:FLOODMaximum Flow Rate:3.52 CFSMaximum Volume:The TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE:Maximum Acres:2 - MODERATELY HIGHMaximum Acres:51.00Source Type:SURFACE WATERPoint of Diversion and Human Source Type:Sure Type:SURFACE WATERDit of Diversion Means:PUPPoint of Diversion Means:PUPDit of Diversion Means:PUPDite Name:FTRIBER 30Diversion Means:PUPDite Name:PUPDite Name:FTRIBER 30Paree of Use:JUNE 1 to SEPTEMBER 30Diversion Means:PUPParee of Use:JUNE 1 to SEPTEMBER 30Diversion Means:PUNPPURParee of Use:JUNE 1 to SEPTEMBER 30Diversion Means:PUPDite Name:PUPDite Name:PUPDite Name:PUPDite Name:PUPDite Name:SEPTEMBER			PO BOX 1044						
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3   4.00   NWSENW   34   25N   7E   CHOUTEAU     4   2.00   SWSENW   34   25N   7E   CHOUTEAU     5   10.00   NESWNW   34   25N   7E   CHOUTEAU     6   9.00   NWSWNW   34   25N   7E   CHOUTEAU     7   5.00   SESWNW   34   25N   7E   CHOUTEAU     8   4.00   SWSWNW   34   25N   7E   CHOUTEAU     Total:   51.00   SI   SI   SI   SI   SI									
5   10.00   NESWNW   34   25N   7E   CHOUTEAU     6   9.00   NWSWNW   34   25N   7E   CHOUTEAU     7   5.00   SESWNW   34   25N   7E   CHOUTEAU     8   4.00   SWSWNW   34   25N   7E   CHOUTEAU     Total:     51.00									
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Total: 51.00									
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#### **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.

109745-00 109746-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 04/18/2000.

THIS CLAIM IS SUBJECT TO THE TERMS OF AN AGREEMENT SUBMITTED TO THE MONTANA WATER COURT ON OCTOBER 12, 2011. SEE THE CLAIM FILE OR WATER COURT CASE 410-224 FOR MORE INFORMATION.

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

## **Remarks:**

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/05/95.

## OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 15518 RECEIVED 07/21/2004. OWNERSHIP UPDATE TYPE DOR # 85412 RECEIVED 11/06/2009. OWNERSHIP UPDATE TYPE DOR # 115342 RECEIVED 06/04/2013. OWNERSHIP UPDATE TYPE DOR # 146835 RECEIVED 09/01/2016.