

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

A version with a more recent operating authority date exists. Contact DNRC for details.

Water Right Number: 41O 114144-00 STATEMENT OF CLAIM
Version: 2 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: FREEMAN RANCH LAND & LIVESTOCK LLP
PO BOX 158
CHOTEAU, MT 59422-0158

WILLIAM H MILLER
PO BOX 158
CHOTEAU, MT 59422

BETTY JO MILLER
PO BOX 158
CHOTEAU, MT 59422

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

Priority Date: MAY 18, 1883

Enforceable Priority Date: MAY 18, 1883

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD
Maximum Flow Rate: 25.00 CFS
Maximum Volume:
Climatic Area: 4 - MODERATELY LOW
Maximum Acres: 1,346.00
Source Name: DEEP CREEK
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 | | SENWSE | 10 | 23N | 5W | TETON |

Period of Diversion: MAY 1 TO AUGUST 31

Diversion Means: HEADGATE

Period of Use: MAY 1 to AUGUST 31

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 | 2.00 | | SENESE | 6 | 23N | 4W | TETON |
| 2 | 27.00 | | NWSW | 5 | 23N | 4W | TETON |
| 3 | 1.00 | | SWNESW | 5 | 23N | 4W | TETON |
| 4 | 1.00 | | NWSESW | 5 | 23N | 4W | TETON |
| 5 | 9.00 | | N2SWSW | 5 | 23N | 4W | TETON |
| 6 | 22.00 | | SENW | 5 | 23N | 4W | TETON |
| 7 | 3.00 | | S2NENW | 5 | 23N | 4W | TETON |
| 8 | 54.00 | | S2NE | 5 | 23N | 4W | TETON |
| 9 | 54.00 | | N2SE | 5 | 23N | 4W | TETON |
| 10 | 24.00 | | SESE | 5 | 23N | 4W | TETON |
| 11 | 10.00 | | S2N2NE | 4 | 23N | 4W | TETON |
| 12 | 78.00 | | S2NE | 4 | 23N | 4W | TETON |
| 13 | 1.00 | | SENENW | 4 | 23N | 4W | TETON |
| 14 | 45.00 | | S2NW | 4 | 23N | 4W | TETON |
| 15 | 46.00 | | N2SW | 4 | 23N | 4W | TETON |
| 16 | 80.00 | | N2SE | 4 | 23N | 4W | TETON |
| 17 | 47.00 | | S2SE | 4 | 23N | 4W | TETON |

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> |
|---------------|--------------|-----------------|----------------|------------|------------|------------|---------------|
| 18 | 117.00 | | NW | 3 | 23N | 4W | TETON |
| 19 | 83.00 | | NE | 3 | 23N | 4W | TETON |
| 20 | 40.00 | | NWSW | 3 | 23N | 4W | TETON |
| 21 | 5.00 | | W2NESW | 3 | 23N | 4W | TETON |
| 22 | 40.00 | | SWSW | 3 | 23N | 4W | TETON |
| 23 | 5.00 | | W2SESW | 3 | 23N | 4W | TETON |
| 24 | 8.00 | | NW | 2 | 23N | 4W | TETON |
| 25 | 8.00 | | W2NWNE | 2 | 23N | 4W | TETON |
| 26 | 57.00 | | S2SE | 34 | 24N | 4W | TETON |
| 27 | 156.00 | | SW | 35 | 24N | 4W | TETON |
| 28 | 24.00 | | W2SE | 35 | 24N | 4W | TETON |
| 29 | 62.00 | | W2NE | 35 | 24N | 4W | TETON |
| 30 | 37.00 | | SWSE | 26 | 24N | 4W | TETON |
| 31 | 26.00 | | S2SW | 4 | 23N | 4W | TETON |
| 32 | 60.00 | | S2NE | 11 | 23N | 5W | TETON |
| 33 | 70.00 | | SE | 11 | 23N | 5W | TETON |
| 34 | 18.00 | | SWNW | 12 | 23N | 5W | TETON |
| 35 | 22.00 | | W2SW | 12 | 23N | 5W | TETON |
| Total: | 1,342.00 | | | | | | |

| | | |
|------------------------|-----------------------------|-----------------------------|
| Geocodes/Valid: | 31-3369-02-1-01-01-0000 - Y | 31-3369-03-1-01-01-0000 - Y |
| | 31-3369-03-3-01-01-0000 - Y | 31-3369-04-4-01-01-0000 - Y |
| | 31-3369-05-1-01-01-0000 - Y | 31-3487-26-4-01-01-0000 - Y |
| | 31-3487-34-4-03-01-0000 - Y | 31-3487-35-1-01-01-0000 - Y |

Remarks:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/13/2000. WILLIAM H. & BETTY JO MILLER RECEIVED THE S2NE AND SE OF SECTION 11 AND THE SWNW AND W2SW OF SECTION 12, ALL IN T23N R05W, TETON COUNTY.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 106984 RECEIVED 05/23/2011.
OWNERSHIP UPDATE TYPE DOR # 104432 RECEIVED 06/28/2012.
OWNERSHIP UPDATE TYPE DOR # 110994 RECEIVED 12/28/2012.