

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: 41D 121060-00 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: JY BAGBY LAND & CATTLE COMPANY LLC
2045 250TH PLACE NE
SAMMAMISH, WA 98074

Priority Date: NOVEMBER 20, 1900
Enforceable Priority Date: NOVEMBER 20, 1900

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 24.50 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 859.00

Source Name: HAMBY 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		SWSNW	27	6S	16W	BEAVERHEAD

Period of Diversion: MAY 1 TO SEPTEMBER 4

Diversion Means: HEADGATE

Ditch Name: QUINN-PINKERTON-COZAD DITCH
DITCH NAME: QUINN-PINKERTON-COZAD DITCH

Period of Use: MAY 1 to SEPTEMBER 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	200.00		W2	6	6S	15W	BEAVERHEAD
2	120.00		NW	7	6S	15W	BEAVERHEAD
3	200.00		S2	1	6S	16W	BEAVERHEAD
6	300.00			12	6S	16W	BEAVERHEAD
7	24.00		NESW	12	6S	16W	BEAVERHEAD
8	15.00		N2SE	12	6S	16W	BEAVERHEAD
Total:	859.00						

Geocodes/Valid: 18-0407-01-4-01-01-0000 - Y 18-0407-12-1-01-01-0000 - Y
18-0407-12-4-01-01-0000 - Y 18-0408-06-3-03-01-0000 - Y
18-0408-07-3-01-01-0000 - 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.

121051-00 121052-00 121053-00 121054-00 121056-00 121057-00 121058-00
121059-00 121060-00 121061-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/10/91: MAXIMUM ACRES, PLACE OF USE.

Remarks:

AUTHORIZATION TO CHANGE PLACE OF USE COMPLETED 3/29/1988. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 121060-99.

STATEMENT OF CLAIM WAS AMENDED TO 800 ACRES IN 1991 AFTER THE CHANGE APPLICATION WAS COMPLETE. THE CHANGE AUTHORIZATION FOR 859 ACRES WAS BASED ON THE ORIGINAL CLAIM OF 980 ACRES.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 69132 RECEIVED 10/06/2009.

OWNERSHIP UPDATE TYPE DOR # 94513 RECEIVED 12/01/2011.

OWNERSHIP UPDATE TYPE DOR # 134758 RECEIVED 09/02/2015.