

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: 42A 129366-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: TAMMY R LUTHER
1606 ROSEBUD CREEK RD
FORSYTH, MT 59327-9423

DARELL J LUTHER
1606 ROSEBUD CREEK RD
FORSYTH, MT 59327-9423

Priority Date: JUNE 10, 1940
Enforceable Priority Date: JUNE 10, 1940

Type of Historical Right: USE

Purpose (use): STOCK

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Maximum Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF ROSEBUD 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 | | NESESW | 33 | 4N | 43E | ROSEBUD |

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: DAM

Reservoir: ON STREAM

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
| | NESESW | 33 | 4N | 43E | ROSEBUD |

Diversion to Reservoir: DIVERSION # 1

Dam Height: 15.00 FEET

Surface Area: 0.60 ACRES

Current Capacity: 2.90 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: JANUARY 1 to DECEMBER 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 | | | NESESW | 33 | 4N | 43E | ROSEBUD |

Geocodes/Valid: 29-1343-33-1-01-01-1652 - Y

Remarks:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/06/1999.
WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/26/1983.
WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/19/1992.
WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/17/1991.
WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/04/1989.