

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 129376-00 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

DONALD D POLICH
1470 ROSEBUD CREEK RD
FORSYTH, MT 59327

Priority Date: JANUARY 28, 1922
Enforceable Priority Date: JANUARY 28, 1922

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.46 CFS

Maximum Volume:
PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.
Climatic Area: 1 - HIGH

Maximum Acres: 65.00

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		SWNESE	32	4N	43E	ROSEBUD

Period of Diversion:
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>
	SWNESE	32	4N	43E	ROSEBUD

Diversion to Reservoir: DIVERSION # 1

Dam Height: 12.00 FEET
Depth: 10.00 FEET
Surface Area: 3.50 ACRES
Current Capacity: 14.00 ACRE-FEET

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

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	35.00		NW	32	4N	43E	ROSEBUD
2	30.00		N2SW	32	4N	43E	ROSEBUD
Total:	65.00						

Geocodes/Valid: 29-1343-32-1-01-01-1178 - Y 29-1343-32-2-04-01-0000 - Y
29-1343-32-3-01-01-0000 - Y

Remarks:

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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.

129376-00 129377-00 129378-00

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/04/1989.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/04/1992.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/06/1999.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/26/1983.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/17/1991.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 138171 RECEIVED 12/30/2015.