

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: 41S 135411-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: CORY MERRILL
503 E DRY CREEK RD
BUFFALO, MT 59418

CLARAJEAN MERRILL
503 E DRY CREEK RD
BUFFALO, MT 59418

Priority Date: MARCH 17, 1901
Enforceable Priority Date: MARCH 17, 1901

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 1.29 CFS
Maximum Volume: 156.40 AC-FT
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 34.00

Source Name: ROSS FORK 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		NENWSW	14	11N	16E	FERGUS

Period of Diversion: MAY 15 TO AUGUST 19
Diversion Means: DIKE

Period of Use: MAY 15 to AUGUST 19

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	13.00		N2NWSW	14	11N	16E	FERGUS
2	5.00		N2NWSE	15	11N	16E	FERGUS
3	16.00		N2NESE	15	11N	16E	FERGUS
Total:	34.00						

Geocodes/Valid: 08-2025-14-2-01-01-0000 - Y 08-2025-15-3-02-01-0000 - Y

Remarks:

THE CLAIMED ACRES IRRIGATED AND PLACE OF USE HAVE BEEN RE-EXAMINED BY THE DNRC UNDER MONTANA WATER COURT ORDER DATED AUGUST 29, 1997. SEE CLAIM FILE FOR FURTHER INFORMATION.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/01/84.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 103796 RECEIVED 09/01/2012.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE MAXIMUM NUMBER OF ACRES CLAIMED ON THE ORIGINAL STATEMENT OF CLAIM IS 60.00 ACRES. THE DNRC'S RE-EXAMINATION WAS OF THE ORIGINAL CLAIMED ACRES IRRIGATED AND PLACE OF USE.

USDA AERIAL PHOTOGRAPH NO(S). 30027-278-76 DATED 09/25/79 APPEARS TO INDICATE 18.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE FERGUS COUNTY WATER RESOURCES SURVEY (1970) APPEARS TO INDICATE 15.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.