

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: 41P 159720-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: WANKEN FARMS
% FRANCES WANKEN
PO BOX 609
CHESTER, MT 59522

Priority Date: OCTOBER 30, 1940
Enforceable Priority Date: OCTOBER 30, 1940

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 12.00 CFS

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 1,015.00

Source Name: MARIAS RIVER
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		SENE SW	15	31N	3W	TOOLE

Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: PUMP

Period of Use: MAY 1 to SEPTEMBER 30

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	60.00		S2NE	10	31N	3W	TOOLE
2	150.00		SE	10	31N	3W	TOOLE
3	10.00		S2SWNW	11	31N	3W	TOOLE
4	5.00		W2NESW	11	31N	3W	TOOLE
5	35.00		SESW	11	31N	3W	TOOLE
6	80.00		W2SW	11	31N	3W	TOOLE
7	10.00		W2NWNE	14	31N	3W	TOOLE
8	60.00		S2NE	14	31N	3W	TOOLE
9	160.00		NW	14	31N	3W	TOOLE
10	280.00		S2	14	31N	3W	TOOLE
11	55.00		E2NE	15	31N	3W	TOOLE
12	10.00		E2NWNE	15	31N	3W	TOOLE
13	10.00		E2NESE	15	31N	3W	TOOLE
14	80.00		N2NE	23	31N	3W	TOOLE
15	10.00		E2NENW	23	31N	3W	TOOLE
Total:	1,015.00						

Geocodes/Valid: 21-4316-10-2-01-01-0000 - Y 21-4316-11-4-01-01-0000 - Y
21-4316-14-1-01-01-0000 - Y 21-4316-15-1-01-01-0000 - Y
21-4316-23-1-01-01-0000 - Y 21-4316-23-2-01-01-0000 - Y

Remarks:

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 159721-00.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

Remarks:

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 41P 159720-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/08/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS, PO BOX 200701, HELENA, MT 59620-0701.

THE TOOLE COUNTY WATER RESOURCES SURVEY (1969) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 178-082 , DATED 08/10/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.