

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: 43P 5605-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners:
LEEROY TOEWS
RR 1 BOX 1195B
HARDIN, MT 59034-9719

MARLENE J TOEWS
RR 1 BOX 1195B
HARDIN, MT 59034-9719

NATHANIEL TOEWS
RR 1 BOX 1019
HARDIN, MT 59034

Priority Date: JUNE 29, 1973
Enforceable Priority Date: JUNE 29, 1973

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 15.04 CFS

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

Climatic Area: 1 - HIGH

Maximum Acres: 216.00

Source Name: BIGHORN 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		SESWNE	18	1S	34E	BIG HORN

Period of Diversion: APRIL 1 TO SEPTEMBER 30
Diversion Means: PUMP

Period of Use: APRIL 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	14.00		W2W2NE	17	1S	34E	BIG HORN
2	92.00		S2NW	17	1S	34E	BIG HORN
3	89.00		N2SW	17	1S	34E	BIG HORN
4	21.00		SENE	18	1S	34E	BIG HORN
Total:	216.00						

THE PLACE OF USE INCLUDES GOVT LOTS 2&3 IN SEC 17 TWP 1S RGE 34E BIG HORN COUNTY.

Geocodes/Valid: 22-0935-17-1-02-01-0000 - Y 22-0935-17-3-01-04-0000 - Y
22-0935-18-1-04-01-0000 - Y

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

5605-00 216359-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/26/2001: PLACE OF USE, MAXIMUM ACRES.

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

THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED

Remarks:

BASED ON INFORMATION IN THIS CLAIM. 216359 00.

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIGHORN RIVER, BELOW GREYBULL RIVER DRAINAGE (BASIN 43P) AND USES IT IN THE BIGHORN RIVER, BELOW GREYBULL RIVER DRAINAGE (BASIN 43P) AND THE LITTLE BIGHORN RIVER DRAINAGE (BASIN 43O). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CROW INDIAN RESERVATION.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 35613 RECEIVED 02/07/2006.

OWNERSHIP UPDATE TYPE 608 # 53800 RECEIVED 11/06/2007.

OWNERSHIP UPDATE TYPE DOR # 69817 RECEIVED 08/20/2009.

OWNERSHIP UPDATE TYPE DOR # 143349 RECEIVED 01/04/2016.

NO REVIEW OR DETERMINATION OF THE CLAIMED TYPE OF HISTORICAL RIGHT HAS BEEN MADE. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.

THIS INTERBASIN TRANSFER CLAIM RECEIVED ISSUE REMARKS IN BASIN 43O. NO ACTION WILL BE TAKEN ON THIS CLAIM UNTIL IT HAS BEEN DECREED IN ALL BASINS YET TO BE DECREED AND IDENTIFIED BY THE INTERBASIN TRANSFER REMARK.