

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: 411 88930-00 STATEMENT OF CLAIM
Version: 2 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: SAMUEL W ANTONICK
726 LOWER DEEP CREEK RD
TOWNSEND, MT 59644-9776

KIM M JOHNSON
726 LOWER DEEP CREEK RD
TOWNSEND, MT 59644-9776

PATRICIA M KROTT
PO BOX 1159
TOWNSEND, MT 59644-1159

OWNER PATRICIA M KROTT RETAINED. CONTRACT FOR DEED INTEREST.

Priority Date: APRIL 27, 1904
Enforceable Priority Date: APRIL 27, 1904

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 4.50 CFS

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

Climatic Area: 3 - MODERATE

Maximum Acres: 225.30

Source Name: DEEP 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		SE	31	7N	3E	BROADWATER

Period of Diversion: APRIL 20 TO OCTOBER 20
Diversion Means: PUMP

2		NE	31	7N	3E	BROADWATER
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Period of Diversion: APRIL 20 TO OCTOBER 20
Diversion Means: PUMP

3		NW	32	7N	3E	BROADWATER
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Period of Diversion: APRIL 20 TO OCTOBER 20
Diversion Means: PUMP

4		NW	32	7N	3E	BROADWATER
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Period of Diversion: APRIL 20 TO OCTOBER 20
Diversion Means: PUMP

Period of Use: APRIL 20 to OCTOBER 20

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	225.30			31	7N	3E	BROADWATER

Total: 225.30

Geocodes/Valid: 43-1592-31-1-01-01-0000 - Y

Remarks:

Remarks:

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.

88929-00 88930-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/19/1989: POINTS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PRIORITY DATE.

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS.

THE NEW POINTS OF DIVERSION ONLY REPLACE THE HEADGATE IN THE NENWNE OF SEC 33, TWP 7N, RGE 3E, BROADWATER COUNTY. THE PUMP IN THE NESWNW OF SEC 31, TWP 7N, RGE 3E, BROADWATER COUNTY WILL NOT BE REPLACED.

THE APPROPRIATOR SHALL SUBMIT A PROGRESS REPORT OF THE WORK COMPLETED UNDER THIS RIGHT BY NOVEMBER 30TH OF EACH YEAR UNTIL COMPLETION OF THE PROJECT. THE REPORTS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 2998 RECEIVED 05/08/2002.

OWNERSHIP UPDATE TYPE 608 # 24643 RECEIVED 08/15/2005.

OWNERSHIP UPDATE TYPE DOR # 100024 RECEIVED 09/07/2011.