

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:** 41A 94944-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** HUNTSMAN, EVON W FAMILY LLC  
PO BOX 240052  
DELL, MT 59724-0052

**Priority Date:** NOVEMBER 4, 1909

**Enforceable Priority Date:** NOVEMBER 4, 1909

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 24.43 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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

**Climatic Area:** 5 - LOW

**Maximum Acres:** 645.00

**Source Name:** WINSLOW CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS MUD CREEK

**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		SWNESW	16	14S	3W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO JULY 31

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to JULY 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	40.00		NENE	3	14S	3W	BEAVERHEAD
2	60.00		S2NE	3	14S	3W	BEAVERHEAD
3	120.00		SE	3	14S	3W	BEAVERHEAD
4	45.00		NE	10	14S	3W	BEAVERHEAD
5	20.00		SESW	10	14S	3W	BEAVERHEAD
6	160.00		NW	15	14S	3W	BEAVERHEAD
7	80.00		N2SW	15	14S	3W	BEAVERHEAD
8	80.00		E2NE	16	14S	3W	BEAVERHEAD
9	40.00		NESE	16	14S	3W	BEAVERHEAD
<b>Total:</b>	<b>645.00</b>						

**Geocodes/Valid:** 18-0034-03-1-01-01-0000 - Y 18-0034-10-1-01-01-0000 - Y  
18-0034-15-1-01-01-0000 - Y 18-0034-15-2-02-01-0000 - Y  
18-0034-16-1-01-01-0000 - Y

**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.

94929-00 94930-00 94943-00 94944-00

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

**Remarks:**

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/26/1996.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 90771 RECEIVED 08/11/2010.

AN AMENDMENT WAS SUBMITTED ON 10/17/2012 REQUESTING TO AMEND THE MAXIMUM ACRES AND PLACE OF USE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL POTENTIAL OWNERS OF THE HISTORIC CLAIMED PLACE OF USE.

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. 41A 40006-00, 41A 94944-00.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT.

USDA AERIAL PHOTOGRAPH NO(S). 779-187, 779-199 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-119, CXM-3FF-121 , DATED 08/14/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.