

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 101529-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: BOS TERRA LP
PO BOX 169
HOBSON, MT 59452-0169

Priority Date: DECEMBER 1, 1889
Enforceable Priority Date: DECEMBER 1, 1889

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 3.75 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: 353.00

Source Name: OLSEN CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	18	14N	16E	FERGUS

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE

2		NWNENE	14	14N	15E	JUDITH BASIN
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE

3		SEWNNE	14	14N	15E	JUDITH BASIN
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE

4		SESESE	13	14N	15E	JUDITH BASIN
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE

Period of Use: APRIL 1 to OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	83.00		SW	11	14N	15E	JUDITH BASIN
2	11.00		W2SE	11	14N	15E	JUDITH BASIN
3	120.00		W2	14	14N	15E	JUDITH BASIN
4	139.00		W2E2	14	14N	15E	JUDITH BASIN
Total:	353.00						

Geocodes/Valid: 36-2362-11-2-01-04-0000 - Y 36-2362-11-3-03-01-0000 - Y
36-2362-14-1-02-01-0000 - 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.

101528-00 101529-00

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

Remarks:

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

TRANSITORY POINT OF DIVERSION: ALL ALONG SOURCE

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/10/84.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 84875 RECEIVED 02/25/2011.

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

THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 134.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 30045-179-114 , DATED 09/17/1979 APPEARS TO INDICATE 345.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.