

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:** 43BV 114046-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** CAYUSE LIVESTOCK CO  
316A MELVILLE RD  
BIG TIMBER, MT 59011

**Priority Date:** JULY 15, 1887

**Enforceable Priority Date:** JULY 15, 1887

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 23.75 CFS

**Maximum Volume:** 8,465.00 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 3,040.00

**Source Name:** SWEET GRASS 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		NESESE	6	4N	14E	SWEET GRASS

**Period of Diversion:**

**Diversion Means:** HEADGATE

**Ditch Name:** ANDERSON-VOSE DITCH

2		NWNESW	6	4N	14E	SWEET GRASS
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**Period of Diversion:**

**Diversion Means:** HEADGATE

**Ditch Name:** VOSE-GREEN DITCH

3		NWSWSE	27	5N	14E	SWEET GRASS
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**Period of Diversion:** APRIL 1 TO NOVEMBER 4

**Diversion Means:** HEADGATE

**Ditch Name:** NELSON-GROSFIELD DITCH

4		SENESE	35	5N	14E	SWEET GRASS
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**Period of Diversion:**

**Diversion Means:** HEADGATE

**Ditch Name:** HART-PARKER DITCH

**Period of Use:** APRIL 1 to NOVEMBER 4

**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	146.00		NE	35	5N	13E	SWEET GRASS
2	135.00		NW	35	5N	13E	SWEET GRASS
3	25.00		SE	35	5N	13E	SWEET GRASS
4	12.00		SW	35	5N	13E	SWEET GRASS
5	118.00		SE	26	5N	13E	SWEET GRASS
6	157.00		NE	25	5N	13E	SWEET GRASS
7	70.00		NW	25	5N	13E	SWEET GRASS
8	320.00		S2	25	5N	13E	SWEET GRASS
9	100.00		NW	18	5N	14E	SWEET GRASS
10	100.00		SW	18	5N	14E	SWEET GRASS
11	80.00		NW	19	5N	14E	SWEET GRASS
12	60.00		SW	19	5N	14E	SWEET GRASS
13	35.00		SE	19	5N	14E	SWEET GRASS
14	50.00		NW	30	5N	14E	SWEET GRASS
15	80.00		SW	30	5N	14E	SWEET GRASS

**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>
16	60.00		SE	30	5N	14E	SWEET GRASS
17	46.00		NE	30	5N	14E	SWEET GRASS
18	10.00		NW	29	5N	14E	SWEET GRASS
19	160.00		SW	29	5N	14E	SWEET GRASS
20	136.00		SE	29	5N	14E	SWEET GRASS
21	160.00		NW	32	5N	14E	SWEET GRASS
22	80.00		SW	32	5N	14E	SWEET GRASS
23	160.00		SE	32	5N	14E	SWEET GRASS
24	130.00		NE	32	5N	14E	SWEET GRASS
25	320.00		S2	28	5N	14E	SWEET GRASS
26	35.00		NW	33	5N	14E	SWEET GRASS
27	155.00		SW	33	5N	14E	SWEET GRASS
28	100.00		SE	33	5N	14E	SWEET GRASS
<b>Total:</b>	3,040.00						

**Geocodes/Valid:** -- NO VALID GEOCODES --

**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.

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THE FOLLOWING ELEMENT WAS AMENDED IN 2007 BY ORDER OF THE MONTANA WATER COURT GRANTING A MOTION TO AMEND FILED UNDER SECTION 85-2-233(6) MCA: POINT OF DIVERSION.

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

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 WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.  
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