

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:** 41H 114921-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE  
**Version Status:** ACTIVE

**Owners:** HIGH LINE CANAL CO  
13010 CHURCHILL RD  
MANHATTAN, MT 59741

**Priority Date:** MAY 9, 1890

**Enforceable Priority Date:** MAY 9, 1890

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 85.00 CFS

COMBINED FLOW RATE FOR CLAIMS NO. 114921-00, 114922-00, AND 114923-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURE AND THE CONVEYANCE SYSTEM.

**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:** 11,801.00

**Source Name:** WEST GALLATIN 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	28	3S	4E	GALLATIN

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** HIGH LINE CANAL

DIVERSION OF WATER IN APRIL IS SUBJECT TO A PRIVATE SUBORDINATION AGREEMENT DATED JULY 10, 2008. SEE CASE 41H-A5.

**Period of Use:** APRIL 15 to OCTOBER 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	11.00		S2SWNE	25	1S	3E	GALLATIN
2	158.00		NW	25	1S	3E	GALLATIN
3	130.00		SE	25	1S	3E	GALLATIN
4	80.00		E2SW	25	1S	3E	GALLATIN
5	22.00		NWSW	25	1S	3E	GALLATIN
6	22.00		SWSW	25	1S	3E	GALLATIN
7	48.00		E2NE	26	1S	3E	GALLATIN
8	20.00		NESE	26	1S	3E	GALLATIN
9	5.00		SESE	26	1S	3E	GALLATIN
10	20.00		NESW	26	1S	3E	GALLATIN
11	5.00		E2NESE	27	1S	3E	GALLATIN
12	22.00		SESE	27	1S	3E	GALLATIN
13	23.00		NENE	34	1S	3E	GALLATIN
14	55.00		S2NE	34	1S	3E	GALLATIN
15	15.00		W2NENE	35	1S	3E	GALLATIN
16	17.00		W2SENE	35	1S	3E	GALLATIN
17	65.00		W2NE	35	1S	3E	GALLATIN
18	160.00		NW	35	1S	3E	GALLATIN
19	145.00		SE	35	1S	3E	GALLATIN
20	80.00		E2SW	35	1S	3E	GALLATIN
21	13.00		E2NWSW	35	1S	3E	GALLATIN
22	34.00		SWSW	35	1S	3E	GALLATIN
23	304.00		E2	36	1S	3E	GALLATIN
24	27.00		NENW	36	1S	3E	GALLATIN
25	3.00		NENWNW	36	1S	3E	GALLATIN

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>
26	20.00		SE	36	1S	3E	GALLATIN
27	13.00		SESW	36	1S	3E	GALLATIN
28	160.00		SE	36	1S	3E	GALLATIN
29	57.00		E2SW	36	1S	3E	GALLATIN
30	2.00		SEWSW	36	1S	3E	GALLATIN
31	7.00		SEWSW	36	1S	3E	GALLATIN
32	160.00		SE	30	1S	4E	GALLATIN
33	5.00		E2NESW	30	1S	4E	GALLATIN
34	40.00		SESW	30	1S	4E	GALLATIN
35	28.00		W2SW	30	1S	4E	GALLATIN
36	640.00			31	1S	4E	GALLATIN
37	30.00		NENW	32	1S	4E	GALLATIN
38	35.00		NWNW	32	1S	4E	GALLATIN
39	30.00		SE	32	1S	4E	GALLATIN
40	40.00		SWNW	32	1S	4E	GALLATIN
41	20.00		NESE	32	1S	4E	GALLATIN
42	38.00		SESE	32	1S	4E	GALLATIN
43	78.00		W2SE	32	1S	4E	GALLATIN
44	158.00		SW	32	1S	4E	GALLATIN
45	40.00		NENE	1	2S	3E	GALLATIN
46	20.00		NWNE	1	2S	3E	GALLATIN
47	10.00		E2SENE	1	2S	3E	GALLATIN
48	2.00		SESWNE	1	2S	3E	GALLATIN
49	40.00		NWNW	1	2S	3E	GALLATIN
50	80.00		S2NW	1	2S	3E	GALLATIN
51	20.00		NESE	1	2S	3E	GALLATIN
52	20.00		SESE	1	2S	3E	GALLATIN
53	70.00		W2SE	1	2S	3E	GALLATIN
54	155.00		SW	1	2S	3E	GALLATIN
55	152.00		NE	2	2S	3E	GALLATIN
56	30.00		NESE	2	2S	3E	GALLATIN
57	35.00		SESE	2	2S	3E	GALLATIN
58	80.00		W2SE	2	2S	3E	GALLATIN
59	320.00		W2	2	2S	3E	GALLATIN
60	160.00		NE	3	2S	3E	GALLATIN
61	25.00		NENW	3	2S	3E	GALLATIN
62	20.00		SE	3	2S	3E	GALLATIN
63	160.00		SE	3	2S	3E	GALLATIN
64	65.00		E2SW	3	2S	3E	GALLATIN
65	25.00		NWSW	3	2S	3E	GALLATIN
66	10.00		N2SWSW	3	2S	3E	GALLATIN
67	20.00		NENE	4	2S	3E	GALLATIN
68	5.00		N2SENE	4	2S	3E	GALLATIN
69	20.00		NESE	4	2S	3E	GALLATIN
70	5.00		N2SESE	4	2S	3E	GALLATIN
71	135.00		NE	10	2S	3E	GALLATIN
72	144.00		SE	10	2S	3E	GALLATIN
73	604.00			11	2S	3E	GALLATIN
74	153.00		NE	12	2S	3E	GALLATIN
75	140.00		NW	12	2S	3E	GALLATIN
76	133.00		SE	12	2S	3E	GALLATIN
77	125.00		SW	12	2S	3E	GALLATIN
78	221.00		N2	13	2S	3E	GALLATIN
79	60.00		N2SE	13	2S	3E	GALLATIN
80	150.00		NE	14	2S	3E	GALLATIN
81	111.00		NW	14	2S	3E	GALLATIN
82	60.00		N2SE	14	2S	3E	GALLATIN
83	75.00		N2SW	14	2S	3E	GALLATIN
84	35.00		SESW	14	2S	3E	GALLATIN
85	4.00		NWSWSW	14	2S	3E	GALLATIN
86	135.00		SW	4	2S	4E	GALLATIN
87	160.00		NE	5	2S	4E	GALLATIN
88	129.00		NW	5	2S	4E	GALLATIN
89	160.00		SE	5	2S	4E	GALLATIN
90	110.00		SW	5	2S	4E	GALLATIN
91	625.00			6	2S	4E	GALLATIN
92	630.00			7	2S	4E	GALLATIN
93	320.00		E2	8	2S	4E	GALLATIN

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>
94	40.00		NENW	8	2S	4E	GALLATIN
95	20.00		NWNW	8	2S	4E	GALLATIN
96	12.00		N2SENW	8	2S	4E	GALLATIN
97	40.00		SWNW	8	2S	4E	GALLATIN
98	10.00		NWNWSW	8	2S	4E	GALLATIN
99	20.00		W2SWSW	8	2S	4E	GALLATIN
100	13.00		NENE	9	2S	4E	GALLATIN
101	20.00		NWNE	9	2S	4E	GALLATIN
102	20.00		SENE	9	2S	4E	GALLATIN
103	20.00		SWNE	9	2S	4E	GALLATIN
104	159.00		NW	9	2S	4E	GALLATIN
105	150.00		SE	9	2S	4E	GALLATIN
106	150.00		SW	9	2S	4E	GALLATIN
107	3.00		W2SENE	15	2S	4E	GALLATIN
108	70.00		W2NE	15	2S	4E	GALLATIN
109	35.00		NENW	15	2S	4E	GALLATIN
110	12.00		NWNW	15	2S	4E	GALLATIN
111	22.00		SENW	15	2S	4E	GALLATIN
112	35.00		SWNW	15	2S	4E	GALLATIN
113	10.00		SENESE	15	2S	4E	GALLATIN
114	20.00		NWSE	15	2S	4E	GALLATIN
115	70.00		S2SE	15	2S	4E	GALLATIN
116	7.00		NENESW	15	2S	4E	GALLATIN
117	25.00		NWSW	15	2S	4E	GALLATIN
118	3.00		NESESW	15	2S	4E	GALLATIN
119	35.00		SWSW	15	2S	4E	GALLATIN
120	60.00		N2NE	16	2S	4E	GALLATIN
121	80.00		S2NE	16	2S	4E	GALLATIN
122	80.00		N2NW	16	2S	4E	GALLATIN
123	30.00		SENW	16	2S	4E	GALLATIN
124	25.00		SWNW	16	2S	4E	GALLATIN
125	140.00		SE	16	2S	4E	GALLATIN
126	135.00		SW	16	2S	4E	GALLATIN
127	80.00		E2NE	17	2S	4E	GALLATIN
128	20.00		NWNE	17	2S	4E	GALLATIN
129	35.00		SWNE	17	2S	4E	GALLATIN
130	20.00		W2NENW	17	2S	4E	GALLATIN
131	30.00		SENW	17	2S	4E	GALLATIN
132	80.00		W2NW	17	2S	4E	GALLATIN
133	20.00		NESE	17	2S	4E	GALLATIN
134	20.00		NWSE	17	2S	4E	GALLATIN
135	10.00		E2SESE	17	2S	4E	GALLATIN
136	20.00		NESW	17	2S	4E	GALLATIN
137	28.00		NWSW	17	2S	4E	GALLATIN
138	5.00		NWSWSW	17	2S	4E	GALLATIN
139	28.00		NENE	18	2S	4E	GALLATIN
140	28.00		NWNE	18	2S	4E	GALLATIN
141	28.00		SENE	18	2S	4E	GALLATIN
142	28.00		SWNE	18	2S	4E	GALLATIN
143	124.00		NW	18	2S	4E	GALLATIN
144	140.00		SE	18	2S	4E	GALLATIN
145	115.00		SW	18	2S	4E	GALLATIN
146	37.00		NENE	21	2S	4E	GALLATIN
147	15.00		E2NWNE	21	2S	4E	GALLATIN
148	5.00		NESENE	21	2S	4E	GALLATIN
149	10.00		NWSWNE	21	2S	4E	GALLATIN
150	15.00		NENW	21	2S	4E	GALLATIN
151	8.00		NENE	22	2S	4E	GALLATIN
152	20.00		NWNE	22	2S	4E	GALLATIN
153	10.00		SWNE	22	2S	4E	GALLATIN
154	35.00		NENW	22	2S	4E	GALLATIN
155	20.00		NWNW	22	2S	4E	GALLATIN
156	20.00		SENW	22	2S	4E	GALLATIN
157	10.00		N2SWNW	22	2S	4E	GALLATIN
158	20.00		NESE	22	2S	4E	GALLATIN
159	28.00		NWSE	22	2S	4E	GALLATIN
160	15.00		NESW	22	2S	4E	GALLATIN
161	10.00		SENWSW	22	2S	4E	GALLATIN

**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>
162	20.00		SESW	22	2S	4E	GALLATIN
163	20.00		SWSW	22	2S	4E	GALLATIN
<b>Total:</b>	11,801.00						

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

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**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.

114921-00 114922-00 114923-00

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 5/12/2005 PURSUANT TO SECTION 85-2-233(6), MCA.

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

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A CLERICAL CORRECTION HAS BEEN MADE TO THE POINT OF DIVERSION. BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHT MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.  
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