

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: 76G 124842-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Version Status: ACTIVE

Owners: JAMES E BIGNELL
PO BOX 377
AVON, MT 59713-0377

Priority Date: MAY 1, 1938

Enforceable Priority Date: MAY 1, 1938

THIS WATER RIGHT IS FOR COLLECTION AND USE OF IRRIGATION RUNOFF FROM ADJACENT LANDS OWNED AND IRRIGATED BY THE CLAIMANT UNDER HIS HISTORICAL DECREED RIGHTS FROM THREE MILE CREEK. BY AGREEMENT FILED WITH THE MONTANA WATER COURT, THIS CLAIM IS SUBORDINATE AND THEREFORE JUNIOR TO ALL WATER RIGHT CLAIMS FROM THREE MILE CREEK INCLUDING HIGHWATER CLAIMS. THE OWNER OF THIS WATER RIGHT CLAIM CANNOT PLACE A CALL AGAINST ANY WATER RIGHT CLAIM FROM THIS SOURCE.

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

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: 5 - LOW

Maximum Acres: 227.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF THREEMILE 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		S2	16	10N	8W	POWELL

Period of Diversion: APRIL 10 TO OCTOBER 24

Diversion Means: HEADGATE

2		SE	17	10N	8W	POWELL
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Period of Diversion: APRIL 10 TO OCTOBER 24

Diversion Means: HEADGATE

THE POINT OF DIVERSION IS A DITCH USED TO COLLECT THE CLAIMANT'S IRRIGATION RUNOFF WATER FOR REUSE ON THE LANDS DESCRIBED BELOW.

Period of Use: APRIL 10 to OCTOBER 24

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	41.00		N2NW	21	10N	8W	POWELL
2	29.00		SESE	17	10N	8W	POWELL
3	29.00		E2NW	16	10N	8W	POWELL
4	128.00		SW	16	10N	8W	POWELL

Total: 227.00

Geocodes/Valid: 28-1882-16-2-01-01-0000 - Y 28-1882-17-1-01-01-0000 - Y
28-1882-21-2-01-01-0000 - 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.

124840-00 124841-00 124842-00 124848-00 124849-00 124850-00 124851-00
210636-00 215933-00 215934-00

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/28/94.