

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: 43D 125723-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: DISMISSED

Owners: SCOTT B MCGREGOR
166 COONEY RD
ROBERTS, MT 59070-9567
CHARLES R MCGREGOR
166 COONEY RD
ROBERTS, MT 59070-9567

Priority Date: MAY 1, 1899
Enforceable Priority Date: MAY 1, 1899

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 5.00 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: 640.00

Source Name: DRY 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		SENE SW	30	5S	21E	CARBON

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: BELUS-SARRELA DITCH
DITCH NAME: BELUS-SARRELA DITCH

Period of Use: APRIL 1 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	80.00		W2NW	17	5S	21E	CARBON
2	40.00		NWSW	17	5S	21E	CARBON
3	320.00		E2	18	5S	21E	CARBON
4	80.00		E2NE	19	5S	21E	CARBON
5	40.00		NWNE	19	5S	21E	CARBON
6	80.00		W2NE	20	5S	21E	CARBON
Total:	640.00						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT DURING ADJUDICATION OF THE TEMPORARY PRELIMINARY DECREE.

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

THE CARBON COUNTY WATER RESOURCES SURVEY (1966) APPEARS TO INDICATE 192.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO 279-8, DATED 10/03/80, APPEARS TO INDICATE 507.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CARBON COUNTY WATER RESOURCES SURVEY (1946) APPEARS TO INDICATE 49.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

Remarks:

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON DRY CREEK WITH A PRIORITY DATE PREDATING CASE NO. 2330, CARBON COUNTY.

THE CLAIMED SPRINKLER SYSTEM WAS INSTALLED AFTER JUNE 30, 1973, AND DOES NOT REFLECT THE RIGHT AS IT EXISTED PRIOR TO JULY 1, 1973.

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