

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: 43P 130098-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: KEMPH LAND & LIVESTOCK CO
PO BOX 44
CUSTER, MT 59024

POCKET CREEK RANCH LLC
BOX 110
CUSTER, MT 59024

Priority Date: JUNE 15, 1959

Enforceable Priority Date: JUNE 15, 1959

Type of Historical Right: FILED

Purpose (use): STOCK

Maximum Flow Rate: 8.91 CFS

Maximum Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIGHORN 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		NENWNE	8	3N	34E	BIG HORN

Period of Diversion: MAY 1 TO NOVEMBER 1

Diversion Means: PUMP

UNNAMED DITCH USED TO CONVEY WATER.

Period of Use: MAY 1 to NOVEMBER 1

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			SWSWNW	5	3N	34E	BIG HORN
2			SWSE	5	3N	34E	BIG HORN
3			SW	5	3N	34E	BIG HORN
4			E2E2NE	6	3N	34E	BIG HORN
5			W2SWSW	32	4N	34E	YELLOWSTONE

Geocodes/Valid: 03-1333-32-3-01-01-0000 - Y 22-1241-05-3-02-02-0000 - Y
22-1241-05-3-04-03-0000 - Y 22-1241-06-4-01-04-0000 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 130262 RECEIVED 12/28/2009.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.
ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/04/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ELLEN ALLEN, JIM AND EMERY HAYNIE.