

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:** 41F 136349-00 STATEMENT OF CLAIM  
**Version:** 2 -- CHANGE AUTHORIZATION  
**Version Status:** ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

**Owners:**  
OLD KIRBY PLACE LLC  
6800 N RAINBOW BLVD  
LAS VEGAS, NV 89131  
  
CHARLEEN L AUSTERO  
343 SANTA ANA AVE  
NEWPORT BEACH, CA 92661  
  
WAYNE J AUSTERO  
343 SANTA ANA AVE  
NEWPORT BEACH, CA 92661  
  
JAMES WILSON LIVING TRUST  
JAMES WILSON TRUSTEE  
24900 PASEO DEL RANCHO  
CALABASAS, CA 91302

**Priority Date:** APRIL 29, 1895  
**Enforceable Priority Date:** APRIL 29, 1895

**Purpose (use):** STOCK  
LOCATED ON SESWNE. SEC. 10, T11S, R1E MADISON CO. TRACT 1 OF KENNER ESTATES.

**Maximum Flow Rate:**

**Maximum Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING 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:** PAPOOSE 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		SESWNE	10	11S	1E	MADISON

**Period of Diversion:** MARCH 15 TO NOVEMBER 19  
**Diversion Means:** PUMP/HEADGATE W/DITCH OR PIPELINE

LOCATED ON SESWNE, SEC. 10, T11S, R1E, TRACT 1 KENNER ESTATES OF MADISON CO.

**Period of Use:** MARCH 15 to NOVEMBER 19

**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			N2N2SE	10	11S	1E	MADISON
2			S2NE	10	11S	1E	MADISON

**Geocodes/Valid:** 25-0104-10-1-04-01-0000 - Y      25-0104-10-1-05-01-0000 - Y  
25-0104-10-1-05-15-0000 - Y

**Remarks:**

**OWNERSHIP UPDATE RECEIVED**  
OWNERSHIP UPDATE TYPE 608 # 71577 RECEIVED 06/15/2010.  
OWNERSHIP UPDATE TYPE DOR # 132136 RECEIVED 05/22/2015.