

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 138898-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Version Status: ACTIVE

Owners:

NORTON PROPERTIES LLC
63020 LOWER MEADOW DR
BEND, OR 97701

MICHAEL F ROSS
102 BULL FROG DR
BOZEMAN, MT 59718-8448

MARCIELA L ROSS
102 BULL FROG DR
BOZEMAN, MT 59718-8448

SHANE PARSONS
14 BLACK POWDER TRL
BOZEMAN, MT 59715

ASHLEY PARSONS
204 BULL FROG DR
BOZEMAN, MT 59718-8449

BLAKE BRUMWELL
106 POND LILY DR
BOZEMAN, MT 59718-8612

VAN LIERE, MELISSA L EXEMPTION TRUST
104 STONE FLY DR
BOZEMAN, MT 59718-7778

NORTON RANCH HOMES LLC
63026 LOWER MEADOW DR SUITE 200
BEND, OR 97701-6984

LORNA A STIFTER
135 STONE FLY DR
BOZEMAN, MT 59718

DANIEL J RADKE
133 POND LILY DR
BOZEMAN, MT 59718

STACY L RADKE
133 POND LILY DR
BOZEMAN, MT 59718

BRIAN ORTEGA
175 POND LILY DR
BOZEMAN, MT 59718

SAMUEL A ORTEGA
271 TERRA VERDE DR
BUTTE, MT 59701-7320

DEBRA A ORTEGA
271 TERRA VERDE DR
BUTTE, MT 59701-7320

KEVIN R RIPLEY
243 POND LILY DR
BOZEMAN, MT 59718

MELINDA S RIPLEY
243 POND LILY DR
BOZEMAN, MT 59718

BRANDON KAHL
136 BULL FROG DR
BOZEMAN, MT 59718

DANA KAHL
136 BULL FROG DR
BOZEMAN, MT 59718

JAMIE L ARNOLD
148 BULL FROG DR
BOZEMAN, MT 59718

ERIN L ARNOLD
148 BULL FROG DR
BOZEMAN, MT 59718

NEVIN M BRYERS
170 BULL FROG DR
BOZEMAN, MT 59718

ANNA BARTKOWIAK
170 BULL FROG DR
BOZEMAN, MT 59718-8448

Priority Date: SEPTEMBER 15, 1919

Enforceable Priority Date: SEPTEMBER 15, 1919

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: CONTROLLED SUBIRRIGATION

Maximum Flow Rate: 1.25 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 44.50

Source Name: UNNAMED TRIBUTARY OF BAXTER CREEK

Source Type: GROUNDWATER

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BAXTER CREEK

Source Type: GROUNDWATER

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		SWNWSE	9	2S	5E	GALLATIN

Period of Diversion: JUNE 1 TO OCTOBER 31

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BAXTER CREEK

Diversion Means: HEADGATE

2		SWNWSE	9	2S	5E	GALLATIN
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Period of Diversion: JUNE 1 TO OCTOBER 31

Source Name: UNNAMED TRIBUTARY OF BAXTER CREEK

Diversion Means: HEADGATE

WATER COLLECTS IN TILE DRAINS EQUIPPED WITH GATES. THE WATER TABLE RAISES AND CREATES SUBIRRIGATION.

Period of Use: JUNE 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	32.50		SWNE	9	2S	5E	GALLATIN
2	2.50		SENE	9	2S	5E	GALLATIN
3	9.50		NWSE	9	2S	5E	GALLATIN
Total:	44.50						

Geocodes/Valid:

00-0000-00-0-00-00-0000 - Y	06-0798-09-1-01-13-0000 - Y
06-0798-09-4-07-31-0000 - Y	06-0798-09-4-10-05-0000 - Y
06-0798-09-4-10-39-0000 - Y	06-0798-09-4-11-05-0000 - Y
06-0798-09-4-11-13-0000 - Y	06-0798-09-4-11-17-0000 - Y
06-0798-09-4-11-29-0000 - Y	06-0798-09-4-11-31-0000 - Y
06-0798-09-4-11-33-0000 - Y	06-0798-09-4-11-35-0000 - Y
06-0798-09-4-11-41-0000 - Y	06-0798-09-4-14-01-0000 - Y

Remarks:

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.

138898-00 138899-00 138902-00 138903-00

THE PLACE OF USE AND MAXIMUM ACRES WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 41802 RECEIVED 09/05/2006.

OWNERSHIP UPDATE TYPE 641 # 148931 RECEIVED 09/28/2016.

OWNERSHIP UPDATE TYPE 641 # 151302 RECEIVED 12/12/2016.

ALTHOUGH NOT OBJECTED TO, THE FLOW RATE OF THIS CONTROLLED SUBIRRIGATION CLAIM WILL BE DECREED AS CLAIMED AND SUBJECT TO OBJECTION AT THE PRELIMINARY DECREE STAGE FOR THE GALLATIN RIVER BASIN (41H).