

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: 40B 9165-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: GENE J KLAMERT
2100 S 44TH ST W
BILLINGS, MT 59106-3945

Priority Date: JULY 19, 1895
Enforceable Priority Date: JULY 19, 1895

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: 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: 1 - HIGH

Maximum Acres: 807.50

Source Name: FLATWILLOW 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		NESWNE	2	12N	26E	PETROLEUM

Period of Diversion: MARCH 15 TO NOVEMBER 15
Diversion Means: HEADGATE

2		NWSWSE	9	12N	26E	PETROLEUM
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Period of Diversion: MARCH 15 TO NOVEMBER 15
Diversion Means: HEADGATE

3		SESWNW	16	12N	26E	PETROLEUM
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Period of Diversion: MARCH 15 TO NOVEMBER 15
Diversion Means: HEADGATE

Period of Use: MARCH 15 to NOVEMBER 15

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	64.00		NE	2	12N	26E	PETROLEUM
2	85.00		NW	2	12N	26E	PETROLEUM
3	37.00		E2SW	2	12N	26E	PETROLEUM
4	58.00		SE	3	12N	26E	PETROLEUM
5	33.00		SE	9	12N	26E	PETROLEUM
6	16.00		NW	10	12N	26E	PETROLEUM
7	4.00		NW	10	12N	26E	PETROLEUM
8	57.00		SW	10	12N	26E	PETROLEUM
9	41.00		NW	15	12N	26E	PETROLEUM
10	117.00		NE	16	12N	26E	PETROLEUM
11	31.00		NW	16	12N	26E	PETROLEUM
12	3.00		N2N2SE	16	12N	26E	PETROLEUM
13	8.50		NENESW	16	12N	26E	PETROLEUM
14	4.00		S2SESW	26	13N	26E	PETROLEUM
15	92.00		NE	34	13N	26E	PETROLEUM
16	58.00		SE	34	13N	26E	PETROLEUM
17	12.00		SW	34	13N	26E	PETROLEUM
18	87.00		W2	35	13N	26E	PETROLEUM

Total: 807.50

Geocodes/Valid: 55-2147-02-1-01-01-0000 - Y 55-2147-03-3-03-01-0000 - Y
55-2147-09-4-03-01-0000 - Y 55-2147-10-4-02-01-0000 - Y
55-2147-15-1-01-01-0000 - Y 55-2147-16-1-01-01-0000 - Y

55-2248-26-1-03-01-0000 - Y

55-2248-34-1-01-01-0000 - Y

55-2248-35-1-02-01-0000 - 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.

9163-00 9164-00 9165-00 9166-00 9167-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/26/2008: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/03/2008: PERIOD OF USE, PLACE OF USE, MAXIMUM ACRES.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/19/83.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/11/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/15/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/13/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/18/96.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/07/98.

THE PETROLEUM COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 750.5 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-196, 178-198, 178-252, AND 178-254 , DATED 07/11/1980 , APPEARS TO INDICATE 691 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.