

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:** 41C 196128-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** KITT M DALE  
3433 MT HWY 287  
SHERIDAN, MT 59749-9558  
  
BOKEN FAMILY TRUST  
3463 MT HIGHWAY 287  
SHERIDAN, MT 59749-9558

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

**Priority Date:** APRIL 15, 1868  
**Enforceable Priority Date:** APRIL 15, 1868

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**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.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 170.00

**Source Name:** INDIAN 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		NESWSE	22	4S	5W	MADISON

**Period of Diversion:** APRIL 15 TO OCTOBER 31  
**Diversion Means:** HEADGATE

**Period of Use:** APRIL 15 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	35.00		SESW	22	4S	5W	MADISON
2	40.00		SWSW	22	4S	5W	MADISON
3	40.00		NWSW	22	4S	5W	MADISON
4	15.00		NESW	22	4S	5W	MADISON
5	40.00		SESE	21	4S	5W	MADISON
<b>Total:</b>	170.00						

**Geocodes/Valid:** 25-0593-21-4-01-20-0000 - Y      25-0593-22-3-01-01-0000 - Y  
25-0593-22-3-01-10-0000 - 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.

196125-00    196126-00    196127-00    196128-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/29/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/01/85.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 100853 RECEIVED 01/27/2012.

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**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT CLAIM OVERLAPPING PLACES OF USE. TO ASSURE THE ORDRELY ADJUDICATION OF WATER RIGHTS, THE WATER COURT WILL SET A HEARING TO DETERMINE THESE ISSUES IF NO OBJECTIONS ARE MADE. W196125-00, W196126-00, W196127-00, W196128-00.