

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: 43B 24630-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: CARBELLA DITCH CO
% SUE WILLIAMS
9 GRIZZLY MEADOW
EMIGRANT, MT 59027

Priority Date: JUNE 1, 1970
Enforceable Priority Date: JUNE 1, 1970

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 90.00 GPM

Maximum Volume:
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 123.24

Source Name: TOM MINER CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	25	7S	6E	PARK

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: BAILEY DITCHES

2		NENESE	25	7S	6E	PARK
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Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

3		NWNWSW	30	7S	7E	PARK
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Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

DITCH NAME: BAILEY DITCHES

PARAGRAPH 6 OF THE PARTIES' STIPULATION FILED ON ON JANURARY 12, 1990 STATES: THESE MULTIPLE POINTS OF DIVERSION DO NOT GIVE THE CLAIMANT THE POWER TO USE AT ANY ONE TIME MORE THAN THE FLOW RATE DECREED FOR THAT RIGHT BY THE USE OF THE RIGHT FROM MORE THAN ONE POINT OF DIVERSION.

Period of Use: APRIL 1 to SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	44.39			SE	19	7S	7E PARK
2	8.00			SE	30	7S	7E PARK
3	70.85			NE	30	7S	7E PARK
Total:	123.24						

THE PLACE OF USE INCLUDES TRACTS 1, 2, 9, 10, 11, 12, 13, 15, 16 IDENTIFIED IN CERTIFICATE OF SURVEY NO. 473; TRACTS 17A AND 24A IDENTIFIED IN CERTIFICATE OF SURVEY NO. 866; AND TRACTS 18, 19, 20 AND 26 IDENTIFIED IN CERTIFICATE NO. 473 WHICH ARE ATTACHED TO THE MASTERS REPORT.

Geocodes/Valid: -- NO VALID GEOCODES --

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.

24630-00 25635-00 193797-00 195149-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/26/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/10/84.

THE TIMELY FILED OBJECTION OF MARY ANNE MOTT WAS AMENDED TO INCLUDE POINT OF DIVERSION AND MEANS OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.