

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 40310-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: WEST MADISON CANAL CO
% HARRY COMBS JR
PO BOX 1509
ENNIS, MT 59729

Priority Date: JULY 10, 1903

Enforceable Priority Date: JULY 10, 1903

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Maximum Flow Rate: 62.50 CFS

COMBINED FLOW RATE FOR CLAIM NOS. W040308-00, W040309-00, W040310-00, W040311-00, W040312-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURE AND THE CONVEYANCE SYSTEM.

Maximum Volume:

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 3,638.00

Source Name: MADISON RIVER

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 | | NESWNW | 29 | 6S | 1W | MADISON |

Period of Diversion: MAY 1 TO NOVEMBER 4

Diversion Means: HEADGATE

Period of Use: MAY 1 to NOVEMBER 4

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 | 40.00 | | SWNW | 3 | 5S | 1W | MADISON |
| 2 | 20.00 | | W2SENW | 3 | 5S | 1W | MADISON |
| 3 | 40.00 | | NENE | 4 | 5S | 1W | MADISON |
| 4 | 40.00 | | NWNE | 4 | 5S | 1W | MADISON |
| 5 | 80.00 | | S2NE | 4 | 5S | 1W | MADISON |
| 6 | 39.00 | | NENW | 4 | 5S | 1W | MADISON |
| 7 | 35.00 | | NWNW | 4 | 5S | 1W | MADISON |
| 8 | 40.00 | | SWNW | 4 | 5S | 1W | MADISON |
| 9 | 29.00 | | SENW | 4 | 5S | 1W | MADISON |
| 10 | 160.00 | | SE | 4 | 5S | 1W | MADISON |
| 11 | 160.00 | | SW | 4 | 5S | 1W | MADISON |
| 12 | 40.00 | | NESE | 8 | 5S | 1W | MADISON |
| 13 | 16.00 | | E2NWSE | 8 | 5S | 1W | MADISON |
| 14 | 25.00 | | SWSE | 8 | 5S | 1W | MADISON |
| 15 | 40.00 | | SESE | 8 | 5S | 1W | MADISON |
| 16 | 40.00 | | NENW | 9 | 5S | 1W | MADISON |
| 17 | 40.00 | | NWNW | 9 | 5S | 1W | MADISON |
| 18 | 40.00 | | SWNW | 9 | 5S | 1W | MADISON |
| 19 | 40.00 | | SENW | 9 | 5S | 1W | MADISON |
| 20 | 40.00 | | NESW | 9 | 5S | 1W | MADISON |
| 21 | 40.00 | | NWSW | 9 | 5S | 1W | MADISON |
| 22 | 40.00 | | SWSW | 9 | 5S | 1W | MADISON |
| 23 | 40.00 | | SESW | 9 | 5S | 1W | MADISON |
| 24 | 40.00 | | NENW | 16 | 5S | 1W | MADISON |
| 25 | 40.00 | | NWNW | 16 | 5S | 1W | MADISON |
| 26 | 40.00 | | SWNW | 16 | 5S | 1W | MADISON |
| 27 | 40.00 | | SENW | 16 | 5S | 1W | MADISON |
| 28 | 40.00 | | NESW | 16 | 5S | 1W | MADISON |
| 29 | 40.00 | | NWSW | 16 | 5S | 1W | MADISON |

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> |
|-----------|--------------|-----------------|----------------|------------|------------|------------|---------------|
| 30 | 28.00 | | SWSW | 16 | 5S | 1W | MADISON |
| 31 | 40.00 | | SESW | 16 | 5S | 1W | MADISON |
| 32 | 40.00 | | NENE | 17 | 5S | 1W | MADISON |
| 33 | 18.00 | | E2NWN | 17 | 5S | 1W | MADISON |
| 34 | 12.00 | | E2SWNE | 17 | 5S | 1W | MADISON |
| 35 | 40.00 | | SENE | 17 | 5S | 1W | MADISON |
| 36 | 37.00 | | NESE | 17 | 5S | 1W | MADISON |
| 37 | 1.00 | | NENWSE | 17 | 5S | 1W | MADISON |
| 38 | 8.00 | | NESESE | 17 | 5S | 1W | MADISON |
| 39 | 2.00 | | SWNE | 20 | 5S | 1W | MADISON |
| 40 | 18.00 | | SENE | 20 | 5S | 1W | MADISON |
| 41 | 3.00 | | SENE | 20 | 5S | 1W | MADISON |
| 42 | 18.00 | | SENE | 20 | 5S | 1W | MADISON |
| 43 | 2.00 | | SWSW | 20 | 5S | 1W | MADISON |
| 44 | 30.00 | | SESW | 20 | 5S | 1W | MADISON |
| 45 | 40.00 | | NESE | 20 | 5S | 1W | MADISON |
| 46 | 40.00 | | NWSE | 20 | 5S | 1W | MADISON |
| 47 | 40.00 | | SWSE | 20 | 5S | 1W | MADISON |
| 48 | 40.00 | | SESE | 20 | 5S | 1W | MADISON |
| 49 | 28.00 | | NENW | 21 | 5S | 1W | MADISON |
| 50 | 5.00 | | NWNW | 21 | 5S | 1W | MADISON |
| 51 | 35.00 | | SWNW | 21 | 5S | 1W | MADISON |
| 52 | 33.00 | | SENE | 21 | 5S | 1W | MADISON |
| 53 | 17.00 | | SENE | 21 | 5S | 1W | MADISON |
| 54 | 40.00 | | NWSW | 21 | 5S | 1W | MADISON |
| 55 | 23.00 | | SWSW | 21 | 5S | 1W | MADISON |
| 56 | 3.00 | | NWSESE | 21 | 5S | 1W | MADISON |
| 57 | 28.00 | | NENE | 29 | 5S | 1W | MADISON |
| 58 | 40.00 | | NWNE | 29 | 5S | 1W | MADISON |
| 59 | 33.00 | | SWNE | 29 | 5S | 1W | MADISON |
| 60 | 4.00 | | NWSENE | 29 | 5S | 1W | MADISON |
| 61 | 20.00 | | NWSE | 29 | 5S | 1W | MADISON |
| 62 | 10.00 | | SENE | 29 | 5S | 1W | MADISON |
| 63 | 2.00 | | SENE | 29 | 5S | 1W | MADISON |
| 64 | 24.00 | | NESE | 29 | 5S | 1W | MADISON |
| 65 | 27.00 | | NENW | 29 | 5S | 1W | MADISON |
| 66 | 30.00 | | SWSE | 29 | 5S | 1W | MADISON |
| 67 | 30.00 | | SESE | 29 | 5S | 1W | MADISON |
| 68 | 18.00 | | NENW | 28 | 5S | 1W | MADISON |
| 69 | 14.00 | | NWNW | 28 | 5S | 1W | MADISON |
| 70 | 30.00 | | SWNW | 28 | 5S | 1W | MADISON |
| 71 | 15.00 | | SENE | 28 | 5S | 1W | MADISON |
| 72 | 30.00 | | NENE | 32 | 5S | 1W | MADISON |
| 73 | 35.00 | | SENE | 32 | 5S | 1W | MADISON |
| 74 | 37.00 | | NESE | 32 | 5S | 1W | MADISON |
| 75 | 18.00 | | SESE | 32 | 5S | 1W | MADISON |
| 76 | 40.00 | | NESE | 33 | 5S | 1W | MADISON |
| 77 | 27.00 | | SESE | 33 | 5S | 1W | MADISON |
| 78 | 19.00 | | SWSE | 33 | 5S | 1W | MADISON |
| 79 | 46.00 | | S2SW | 33 | 4S | 1W | MADISON |
| 80 | 30.00 | | NESE | 33 | 4S | 1W | MADISON |
| 81 | 26.00 | | NWSE | 33 | 4S | 1W | MADISON |
| 82 | 40.00 | | SWSE | 33 | 4S | 1W | MADISON |
| 83 | 40.00 | | SESE | 33 | 4S | 1W | MADISON |
| 84 | 10.00 | | NWSW | 34 | 4S | 1W | MADISON |
| 85 | 30.00 | | SWSW | 34 | 4S | 1W | MADISON |
| 86 | 10.00 | | SESW | 34 | 4S | 1W | MADISON |
| 87 | 33.00 | | SWSW | 4 | 6S | 1W | MADISON |
| 88 | 30.00 | | SESW | 4 | 6S | 1W | MADISON |
| 89 | 30.00 | | SESW | 4 | 6S | 1W | MADISON |
| 90 | 28.00 | | NENE | 8 | 6S | 1W | MADISON |
| 91 | 54.00 | | S2SE | 8 | 6S | 1W | MADISON |
| 92 | 26.00 | | S2SW | 8 | 6S | 1W | MADISON |
| 93 | 18.00 | | W2NE | 5 | 6S | 1W | MADISON |
| 94 | 32.00 | | E2NE | 5 | 6S | 1W | MADISON |
| 95 | 27.00 | | E2SE | 5 | 6S | 1W | MADISON |
| 96 | 52.00 | | W2SE | 5 | 6S | 1W | MADISON |
| 97 | 55.00 | | NWNW | 9 | 6S | 1W | MADISON |

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> |
|---------------|--------------|-----------------|----------------|------------|------------|------------|---------------|
| 98 | 5.00 | | SWNW | 9 | 6S | 1W | MADISON |
| 99 | 40.00 | | NWNE | 17 | 6S | 1W | MADISON |
| 100 | 20.00 | | SWNE | 17 | 6S | 1W | MADISON |
| 101 | 40.00 | | NENW | 17 | 6S | 1W | MADISON |
| 102 | 15.00 | | NWNW | 17 | 6S | 1W | MADISON |
| 103 | 15.00 | | SWNW | 17 | 6S | 1W | MADISON |
| 104 | 15.00 | | SENW | 17 | 6S | 1W | MADISON |
| 105 | 65.00 | | W2E2 | 32 | 5S | 1W | MADISON |
| 106 | 15.00 | | SENW | 32 | 5S | 1W | MADISON |
| 107 | 10.00 | | NWSW | 32 | 5S | 1W | MADISON |
| 108 | 10.00 | | SWSW | 32 | 5S | 1W | MADISON |
| 109 | 15.00 | | SESW | 32 | 5S | 1W | MADISON |
| 110 | 3.00 | | NWNE | 8 | 6S | 1W | MADISON |
| 111 | 7.00 | | SWNE | 8 | 6S | 1W | MADISON |
| 112 | 40.00 | | SENE | 8 | 6S | 1W | MADISON |
| 113 | 8.00 | | NESE | 8 | 6S | 1W | MADISON |
| 114 | 3.00 | | NWSE | 8 | 6S | 1W | MADISON |
| 115 | 24.00 | | NESW | 33 | 4S | 1W | MADISON |
| 116 | 45.00 | | E2E2 | 5 | 5S | 1W | MADISON |
| 117 | 45.00 | | N2NE | 8 | 5S | 1W | MADISON |
| 118 | 45.00 | | S2NE | 8 | 5S | 1W | MADISON |
| Total: | 3,638.00 | | | | | | |

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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

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. W040308-00, W040309-00, W040310-00, W040311-00, W040312-00.