#### 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 133907-00 STATEMENT OF CLAIM

**Version:** 2 -- REEXAMINED

Version Status: ACTIVE

Late Claim: A

Owners: DAVID W HUNT

13 LANTERN TR ENNIS, MT 59729

LINDA HUNT 13 LANTERN TRL ENNIS, MT 59729-9179

HEIDI M SMIDANSKY 236 MATHEW BIRD CIR BOZEMAN, MT 59715-7194

PAUL M SMIDANSKY 236 MATHEW BIRD CIR BOZEMAN, MT 59715-7194

SHINING MOUNTAINS WATER USERS ASSN

PO BOX 273 ENNIS, MT 59729

Priority Date: MARCH 24, 1962

**Enforceable Priority Date:** MARCH 24, 1962

CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS

BASED ON STATE LAW.

CLAIM FILED LATE 05/03/1982. AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND

INDIAN RESERVED WATER RIGHTS.

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 3.01 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: 185.00

Source Name: WIGWAM CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID Govt Lot Qtr Sec Sec Twp Rge County

1 SESENE 26 7S 2W MADISON

Period of Diversion: MARCH 1 TO NOVEMBER 30

Diversion Means: HEADGATE

Ditch Name: WILES DITCH

Period of Use: MARCH 1 to NOVEMBER 30

Place of Use:

<u>ID</u>	Acres Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	$\underline{\mathbf{Twp}}$	<u>Rge</u>	<b>County</b>
1	40.00	SWNW	19	7S	1W	MADISON
2	40.00	SENW	19	7S	1W	MADISON
3	40.00	NWSW	19	7S	1W	MADISON
4	30.00	NESW	19	7S	1W	MADISON
5	35.00	SENE	24	7S	2W	MADISON
Total:	185 00					

Geocodes/Valid: 25-0333-24-1-01-08-0000 - Y 25-0334-19-1-01-010000 - Y

25-0334-19-2-01-01-0000 - Y 25-0334-19-2-01-11-0000 - Y 25-0334-19-2-01-11-0001 - Y 25-0334-19-3-01-05-0000 - Y 25-0334-19-3-01-20-0000 - Y 25-0334-19-3-01-20-0000 - Y 25-0334-19-3-01-20-0000 - Y

25-0334-19-3-01-25-0000 - Y

25-0334-19-4-01-01-0000 - Y

25-0334-19-3-01-23-0000 - 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.

31227-00 31228-00 31229-00 31230-00 31231-00 133906-00

133907-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/11/97.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/02/97.

## OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 1253 RECEIVED 12/28/2001.

OWNERSHIP UPDATE TYPE 608 # 13114 RECEIVED 03/12/2004.

OWNERSHIP UPDATE TYPE 608 # 49323 RECEIVED 09/17/2007.

OWNERSHIP UPDATE TYPE DOR # 99130 RECEIVED 01/14/2011.

OWNERSHIP UPDATE TYPE DOR # 100588 RECEIVED 09/06/2011.

DITCH NAME WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.