

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 93296-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: MARCHESSEAU RANCH  
1725 POLARIS RD  
DILLON, MT 59725 9605**

**Priority Date: JULY 1, 1889**

**CASE 7420, BEAVERHEAD COUNTY AFFIRMED THE DEERHEAD LAKE RIGHT PREVIOUSLY DECREED IN CASE 1325, FOR 250 INCHES, DATED 08/26/1891.**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: FLOOD**

**Flow Rate: 6.25 CFS**

**Volume: 3,050.00 AC-FT**

**Climatic Area: 4 - MODERATELY LOW**

**Maximum Acres: 875.00**

**Source Name: BOND 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		NWNENW	1	5S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

BOND CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER FROM DEERHEAD LAKE TO BOND LAKE WHERE THE WATER IS THEN CONVEYED VIA THE BOND DITCH (SESWNW SEC 32 TWP 4S RGE 10W) TO BIRCH CREEK IN THE NWNENW SEC 5 TWP 5S RGE 10W. WATER IS THEN DIVERTED AT SECONDARY DIVERSIONS LOCATED IN NESWSW (BLOMQUIST DITCH) AND THE NWSSEW (BEAVERHEAD WATER CO. DITCH), BOTH IN SEC 19, TWP 5S, RGE 9W, BEAVERHEAD COUNTY.

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

**Reservoir:** ONSTREAM **Reservoir Name:** DEERHEAD LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	1	5S	11W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 15.00 FEET

**Capacity:** 131.00 ACRE-FEET

SEE THE MONTANA RESOURCES BOARD DAM INVENTORY WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**Period of Use:** APRIL 1 TO NOVEMBER 19

**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		SE	19	5S	9W	BEAVERHEAD
2	50.00		S2NE	20	5S	9W	BEAVERHEAD
3	160.00		SE	20	5S	9W	BEAVERHEAD
4	150.00		SW	20	5S	9W	BEAVERHEAD
5	80.00		S2NW	21	5S	9W	BEAVERHEAD
6	160.00		SW	21	5S	9W	BEAVERHEAD
7	160.00		SW	29	5S	9W	BEAVERHEAD
8	80.00		N2NW	32	5S	9W	BEAVERHEAD
<b>Total:</b>	<b>875.00</b>						

**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.

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/16/1995: POINT OF DIVERSION, PRIORITY DATE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

AERIAL PHOTOGRAPH NO(S). CXM 3FF-87, CXM 3FF-89 , DATED 08/01/1965 , APPEARS TO INDICATE 635.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE IS QUESTIONABLE. THE CLAIMED PRIORITY DATE WAS NOT DECREED IN CASE NO.1325, BEAVERHEAD COUNTY, RATHER IT DECREED A DEERHEAD LAKE (A) RIGHT FOR 250 INCHES DATED 08/26/1891, AND A DEERHEAD LAKE (B) RIGHT TO STORE AND COLLECT SAID WATER SO LONG AS THEY DO NOT INTERFERE WITH THE RIGHTS OF OTHER PARTIES, NO DATE WAS ASSIGNED.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 23.0 TIMES THE CAPACITY OF THE RESERVOIR.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 2888.23 ACRE-FEET PER YEAR.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**Water Right Number: 41D 93297-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: MARCHESSEAU RANCH  
1725 POLARIS RD  
DILLON, MT 59725 9605**

**Priority Date: APRIL 30, 1960**

**Type of Historical Right: USE**

**Purpose(use): IRRIGATION**

**Irrigation Type: FLOOD**

**Flow Rate: 20.00 CFS**

**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: 875.00**

**Source Name: DUBOIS 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		SWNWNE	25	4S	11W	BEAVERHEAD

**Period of Diversion:** MARCH 15 TO JUNE 30

**Diversion Means:** HEADGATE

**Ditch Name:** MAST DITCH

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM DUBOIS CREEK TO SECONDARY POINTS OF DIVERSION IN THE NESWSW (BLOMQUIST DITCH) AND NWSESW (BEAVERHEAD WATER CO. DITCH), BOTH IN SEC 19 TWP 5S, RGE 9W, BEAVERHEAD COUNTY.

**Period of Use:** MARCH 15 TO JUNE 30

**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		SE	19	5S	9W	BEAVERHEAD
2	50.00		S2NE	20	5S	9W	BEAVERHEAD
3	160.00		SE	20	5S	9W	BEAVERHEAD
4	150.00		SW	20	5S	9W	BEAVERHEAD
5	80.00		S2NW	21	5S	9W	BEAVERHEAD
6	160.00		SW	21	5S	9W	BEAVERHEAD
7	160.00		SW	29	5S	9W	BEAVERHEAD
8	80.00		N2NW	32	5S	9W	BEAVERHEAD
<b>Total:</b>	<b>875.00</b>						

**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.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

AERIAL PHOTOGRAPH NO(S). CXM 3FF-87, CXM 3FF-89 , DATED 08/01/1965 , APPEARS TO INDICATE 635.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON DUBOIS CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 1325 BEAVERHEAD COUNTY.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

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**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**Water Right Number: 41D 93300-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: MARCHESSEAU RANCH  
1725 POLARIS RD  
DILLON, MT 59725 9605**

**Priority Date: OCTOBER 20, 1910**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: FLOOD**

**Flow Rate: 1.00 CFS**

**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: 240.00**

**Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK**

**Source Type: SURFACE WATER**

**ALSO KNOWN AS MUD SPRING**

**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		SESENE	20	5S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DIKE

**Period of Use:** JANUARY 1 TO DECEMBER 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	80.00		E2NE	20	5S	9W	BEAVERHEAD
2	160.00		NW	21	5S	9W	BEAVERHEAD
<b>Total:</b>	240.00						

**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.

88463-00    93293-00    93294-00    93296-00    93297-00    93300-00    93301-00

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CLAIM NOS. 93300-00 AND 93301-00 MAY BE REDUNDANT CLAIMS ON THE SAME HISTORIC APPROPRIATION OF WATER. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

USDA AERIAL PHOTOGRAPH NO(S). 879-26 , DATED 09/18/1979 , APPEARS TO INDICATE 182.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-89 , DATED 08/01/1965 , APPEARS TO INDICATE 81.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE WATER RIGHTS FOLLOWING THIS STATEMENT EACH CLAIM MUD SPRINGS IN DIFFERENT LOCATIONS. 93300-00 AND 93301-00.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

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**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**Water Right Number: 41D 93301-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: MARCHESSEAU RANCH  
1725 POLARIS RD  
DILLON, MT 59725 9605**

**Priority Date: DECEMBER 20, 1915**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: FLOOD**

**Flow Rate: 1.00 CFS**

**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: 240.00**

**Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK**

**Source Type: SURFACE WATER**

**ALSO KNOWN AS MUD SPRING**

**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		SWSENE	20	5S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DIKE

**Period of Use:** JANUARY 1 TO DECEMBER 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>
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USDA AERIAL PHOTOGRAPH NO(S). 879-26 , DATED 09/18/1979 , APPEARS TO INDICATE 205.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-89 , DATED 08/01/1965 , APPEARS TO INDICATE 81.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE WATER RIGHTS FOLLOWING THIS STATEMENT EACH CLAIM MUD SPRINGS IN DIFFERENT LOCATIONS. 93300-00 AND 93301-00.

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BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 95350-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** DIAMOND BAR J RANCH INC  
650 E DILLON ST  
DILLON, MT 59725

**Priority Date:** SEPTEMBER 28, 1897

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 4.55 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 120.00

**\*Source Name:** GRASSHOPPER 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		NE	SENE	27	8S	10W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

2		SE	ENENW	27	8S	10W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 TO SEPTEMBER 15

**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	40.00		SWNW	26	8S	10W	BEAVERHEAD
2	40.00		SENE	27	8S	10W	BEAVERHEAD
3	40.00		SWNE	27	8S	10W	BEAVERHEAD
<b>Total:</b>	120.00						

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 579-152 , DATED 09/15/1979 , APPEARS TO INDICATE 49.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-22 , DATED 08/17/1965 , APPEARS TO INDICATE 42.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 95357-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** DIAMOND BAR J RANCH INC  
650 E DILLON ST  
DILLON, MT 59725

**Priority Date:** NOVEMBER 5, 1921

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF GRASSHOPPER CREEK

**Source Type:** SURFACE WATER  
ALSO KNOWN AS CHANDLER SPRING

**\*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		NWSESW	32	8S	10W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 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			NWSESW	32	8S	10W	BEAVERHEAD

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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

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**Water Right Number:** 41B 100002-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** TULLEY SPRINGS DITCH CO  
% JOHN WARREN  
PO BOX 748  
DILLON, MT 59725

**Priority Date:** JULY 24, 1882

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 41.54 GPM

**\*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:** 6.39

**Source Name:** TULLEY SPRING

**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		NESEW	19	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** TULLEY DITCH

**Period of Use:** MAY 1 TO OCTOBER 15

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	0.42		SENESE	19	7S	8W	BEAVERHEAD
2	0.57		SWNESE	19	7S	8W	BEAVERHEAD
3	0.95			19	7S	8W	BEAVERHEAD
<b>Subdivision:</b>		HILLCREST ACRES	TRACT/LOT: 8				
4	1.15			19	7S	8W	BEAVERHEAD
<b>Subdivision:</b>		HILLCREST ACRES	TRACT/LOT: 9				
5	0.95			19	7S	8W	BEAVERHEAD
<b>Subdivision:</b>		HILLCREST ACRES	TRACT/LOT: 6				
6	0.95			19	7S	8W	BEAVERHEAD
<b>Subdivision:</b>		HILLCREST ACRES	TRACT/LOT: 7				
7	1.40			19	7S	8W	BEAVERHEAD
<b>Subdivision:</b>		HILLCREST ACRES	TRACT/LOT: 5				
<b>Total:</b>	6.39						

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 100024-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** LINDA M CASSELS  
615 THOMSEN AVE  
DILLON, MT 59725 2955

**Priority Date:** MAY 15, 1920

**Type of Historical Right:** USE

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**\*Flow Rate:** 4.25 GPM

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE  
AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 0.25

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**\*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		NWNENE	19	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 15 TO SEPTEMBER 30

**Diversion Means:** WELL

**Subdivision:** THOMSEN ADD (DILLON) TRACT/LOT: 17 BLOCK: 3

**Period of Use:** MAY 15 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	0.25		NWNENE	19	7S	8W	BEAVERHEAD
	<u>Subdivision:</u>	THOMSEN ADD (DILLON) TRACT/LOT: 17 BLOCK: 3					
<b>Total:</b>	0.25						

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

PART OF THE PLACE OF USE APPEARS TO BE OWNED BY MARY HILDRETH AND WILLIAM SPORICH JR.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 100949-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** DON L MATHESON  
572 MCHESSOR CREEK RD  
TWIN BRIDGES, MT 59754 9723

NANCY A MATHESON  
572 MCHESSOR CREEK RD  
TWIN BRIDGES, MT 59754 9723

THELMA B MATHESON  
572 MCHESSOR CREEK RD  
TWIN BRIDGES, MT 59754 9723

**\*Priority Date:** DECEMBER 31, 1913

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** TROUT 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2S2	17		6S	6W	MADISON

**Period of Diversion:** MAY 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

Period of Use: MAY 1 TO NOVEMBER 30

\*Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2S2	17		6S	6W	MADISON

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 101167-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** DEFERRED EXCHANGE CORP  
3570 CAMINO DEL RIO N, SUITE 100  
SAN DIEGO, CA 92108 1747

**\*Priority Date:** DECEMBER 31, 1952

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**Flow Rate:** 337.00 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** MANMADE PIT, UNNAMED TRIBUTARY OF CALIFORNIA SLOUGH

**Source Type:** GROUNDWATER

POND (PIT) IS GROUNDWATER FED WITH NO OUTLET

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESW	18		4S	6W	MADISON

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** PIT

NO RESERVOIR WORKSHEET REQUIRED AS PIT (POND) IS NEITHER ONSTREAM OR OFFSTREAM RATHER IT IS GROUNDWATER FED. CLAIMANT HAS NO CONTROL OVER THE WATER LEVEL.

**Period of Use:** JANUARY 1 TO DECEMBER 31

**\*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			NESW	18	4S	6W	MADISON

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 101168-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: DEFERRED EXCHANGE CORP  
3570 CAMINO DEL RIO N, SUITE 100  
SAN DIEGO, CA 92108 1747**

**Priority Date: APRIL 22, 1882**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: FLOOD**

**Flow Rate: 9.68 CFS**

**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: 271.00**

**Source Name: BIG HOLE 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		SE	21	4S	7W	MADISON

**Period of Diversion:** MAY 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** PAGEVILLE CANAL

**Period of Use:** MAY 1 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	63.00		E2NW	18	4S	6W	MADISON
2	31.37		NESW	18	4S	6W	MADISON
3	44.61	1	NWNW	18	4S	6W	MADISON
4	44.54	2	SWNW	18	4S	6W	MADISON
5	44.48	3	NWSW	18	4S	6W	MADISON
6	43.00	4	SWSW	18	4S	6W	MADISON
<b>Total:</b>	271.00						

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/1993: TYPE OF HISTORICAL RIGHT, PRIORITY DATE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE MADISON COUNTY WATER RESOURCES SURVEY ( 1954 ) APPEARS TO INDICATE 188.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103041-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** **WITHDRAWN**

**Owners:** HIGH MOUNTAIN RANCHES - CANYON RANCH  
PO BOX 240084  
DELL, MT 59724 0084

**Priority Date:**

**Enforceable Priority Date:**

**Type of Historical Right:**

**Purpose (use):** IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:** BLACKTAIL DEER CREEK

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 09/18/1992.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103046-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** COWAN BAR LANDHOLDINGS LLC  
745 CHILCOTT LN  
DEER LODGE, MT 59722 2318

WILLIAM G BOYER  
537 WIGWAM TRL  
BILLINGS, MT 59105 2725

OWNER WILLIAM G BOYER RETAINED. CONTRACT FOR DEED INTEREST.

**Priority Date:** JULY 1, 1898

**Type of Historical Right:** USE

**Purpose(use):** MINING

**Purpose Clarification:** PLACER MINING

**Flow Rate:** 2.00 CFS

**\*Volume:** THIS RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

**Source Name:** GRASSHOPPER 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			30	8S	10W	BEAVERHEAD

**Period of Diversion:** MARCH 1 TO NOVEMBER 1

**Diversion Means:** PUMP

PUMP IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

THE POINT OF DIVERSION IS LOCATED IN PARCEL NO. 31, MINERAL SURVEY NOS. 2779 AND 6436.

**Period of Use:** MARCH 1 TO NOVEMBER 1

**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				29	8S	10W	BEAVERHEAD
2				30	8S	10W	BEAVERHEAD

PLACE OF USE IS LOCATED ON PARCEL NOS. 20, 30 AND 31, MINERAL SURVEY NOS. 2779 AND 6436; ALSO PARCEL NOS. 32 AND 34, MINERAL SURVEY NOS. 2780 AND 6436.

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/01/2006: OWNER, FLOW RATE, VOLUME.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 41B 99236-00, 41B 88244-00, 41B 103046-00, 41B 185555-00, 41B 185556-00, 41B 185557-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 103101-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

HARR, SHIRLEY M TRUST  
1675 COSGROVE LANE #11  
DILLON, MT 59725

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 15, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 13.46 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1.20

**Source Name:** BEAVERHEAD 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		SWSWSE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 30

**Diversion Means:** HEADGATE

**Subdivision:** BEAVERHEAD ACRES

**Ditch Name:** SELWAY SLOUGH

**Period of Use:** MAY 1 TO SEPTEMBER 30

**\*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	1.20		NENESE	6	7S	8W	BEAVERHEAD
		<b>Subdivision:</b>	BEAVERHEAD ACRES TRACT/LOT: 13				

**Total:** 1.20

**Remarks:**

CERTAIN SLOUGH DECREED AS A TRIBUTARY OF THE BEAVERHEAD RIVER. PORCH DECREED 42 MINERS INCHES, HOFFMAN DECREED 63 MINERS INCHES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 103103-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**\*Priority Date:** DECEMBER 31, 1925

**Type of Historical Right:** FILED

**Purpose(use):** DOMESTIC

**Flow Rate:** 10.00 GPM

**Volume:** 1.50 AC-FT

**Households:** 1

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**\*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		SWNWSW	12	7S	10W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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			SWNWSW	12	7S	10W	BEAVERHEAD

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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103104-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1874

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** RATTLESNAKE 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		S2SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

2		E2	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

3		NENW	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**\*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>
4		SWSW	12	7S	10W	BEAVERHEAD
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
5		NW	13	7S	10W	BEAVERHEAD
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
6		SE	13	7S	10W	BEAVERHEAD
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
7		NE	24	7S	10W	BEAVERHEAD
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
Period of Use: JANUARY 1 TO DECEMBER 31						

**\*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			S2SW	2	7S	10W	BEAVERHEAD
2			E2	11	7S	10W	BEAVERHEAD
3			NENW	11	7S	10W	BEAVERHEAD
4			SWSW	12	7S	10W	BEAVERHEAD
5			NW	13	7S	10W	BEAVERHEAD
6			SE	13	7S	10W	BEAVERHEAD
7			NE	24	7S	10W	BEAVERHEAD

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103105-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**\*Priority Date:** DECEMBER 18, 1963

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION ( GW3 ). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 11.22 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF RATTLESNAKE CREEK

**Source Type:** GROUNDWATER

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	24	7S	10W	BEAVERHEAD

**Period of Diversion:** NOVEMBER 1 TO APRIL 1

**Diversion Means:** DEVELOPED SPRING

**Period of Use:** NOVEMBER 1 TO APRIL 1

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NWNENE	24	7S	10W	BEAVERHEAD

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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103106-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**\*Priority Date:** DECEMBER 18, 1963

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION ( GW3 ). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 11.22 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF ERMONT GULCH

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	24	7S	11W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** DEVELOPED SPRING

**Period of Use:** APRIL 1 TO NOVEMBER 1

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	24	7S	11W	BEAVERHEAD	



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**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/2009: POINT OF DIVERSION, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103107-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**\*Priority Date:** DECEMBER 18, 1963

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION ( GW3 ). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 22.44 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF COLD SPRING CREEK

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESE	34		7S	11W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** DEVELOPED SPRING

**Period of Use:** APRIL 1 TO NOVEMBER 1

**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			SESESE	34	7S	11W	BEAVERHEAD

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**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/2009: POINT OF DIVERSION, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103108-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**\*Priority Date:** DECEMBER 18, 1963

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION ( GW3 ). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 11.22 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF ERMONT GULCH

**Source Type:** GROUNDWATER

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	24	7S	11W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** DEVELOPED SPRING

**Period of Use:** APRIL 1 TO NOVEMBER 1

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NWNENE	24	7S	11W	BEAVERHEAD

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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103109-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**\*Priority Date:** DECEMBER 18, 1963

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION ( GW3 ). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 11.22 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF ERMONT GULCH

**Source Type:** GROUNDWATER

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SE	12	7S	11W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** DEVELOPED SPRING

**Period of Use:** APRIL 1 TO NOVEMBER 1

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			SE	12	7S	11W	BEAVERHEAD

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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103110-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**\*Priority Date:** DECEMBER 18, 1963

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION ( FORM GW3 ). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 22.44 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF RATTLESNAKE CREEK

**Source Type:** GROUNDWATER

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SE	SESW	18	7S	9W BEAVERHEAD

**Period of Diversion:** NOVEMBER 1 TO MAY 1

**Diversion Means:** DEVELOPED SPRING

**Period of Use:** NOVEMBER 1 TO MAY 1

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			SE	SESW	18	7S	9W BEAVERHEAD



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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103111-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**\*Priority Date:** DECEMBER 18, 1963

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION ( GW3 ). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 22.44 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF COLD SPRING CREEK

**Source Type:** GROUNDWATER

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	34	7S	11W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** DEVELOPED SPRING

**Period of Use:** APRIL 1 TO NOVEMBER 1

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NESWSE	34	7S	11W	BEAVERHEAD

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**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON BUREAU OF LAND MGMT.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE SPRING CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103112-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**\*Priority Date:** JUNE 28, 1917

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** ARGENTA SPRING

**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		NWNE	18	6S	10W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO JULY 1

**Diversion Means:** PIPELINE

**Period of Use:** MAY 1 TO JULY 1

**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			NWNWSW	21	6S	10W	BEAVERHEAD

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**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/2009: PLACE OF USE, MEANS OF DIVERSION, POINT OF DIVERSION.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103113-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** NOVEMBER 25, 1958

**\*Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 20.00 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**\*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		NWNENE	24	7S	11W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** WELL

**Period of Use:** APRIL 1 TO NOVEMBER 1

**\*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			NWNENE	24	7S	11W	BEAVERHEAD

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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103120-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1874

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 210.94 GPM

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE



**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
8		SWSWNE	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
9		NWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
5	75.00		S2SE	18	7S	9W	BEAVERHEAD
6	160.00		SW	18	7S	9W	BEAVERHEAD
7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
14	25.00		NW	12	7S	10W	BEAVERHEAD
15	80.00		SE	12	7S	10W	BEAVERHEAD
16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**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.

103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103121-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1889

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 224.40 GPM

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
---	--	-----	----	----	----	-----	------------

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
8		SWSWNE	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
9		NWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
5	75.00		S2SE	18	7S	9W	BEAVERHEAD
6	160.00		SW	18	7S	9W	BEAVERHEAD
7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
14	25.00		NW	12	7S	10W	BEAVERHEAD
15	80.00		SE	12	7S	10W	BEAVERHEAD
16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**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.

103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103122-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.13 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
8		SWSWNE	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
9		NWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
5	75.00		S2SE	18	7S	9W	BEAVERHEAD
6	160.00		SW	18	7S	9W	BEAVERHEAD
7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
14	25.00		NW	12	7S	10W	BEAVERHEAD
15	80.00		SE	12	7S	10W	BEAVERHEAD
16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**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.

103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103123-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1886

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.00 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SE	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NE	SE	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
8		SWSWNE	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
9		NWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
5	75.00		S2SE	18	7S	9W	BEAVERHEAD
6	160.00		SW	18	7S	9W	BEAVERHEAD
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9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
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13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
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15	80.00		SE	12	7S	10W	BEAVERHEAD
16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**Remarks:**

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103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 103124-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1880

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 56.10 GPM

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
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<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
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7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
14	25.00		NW	12	7S	10W	BEAVERHEAD
15	80.00		SE	12	7S	10W	BEAVERHEAD
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18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**Remarks:**

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103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**Water Right Number:** 41B 103125-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JULY 20, 1887

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.00 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
---	--	-----	----	----	----	-----	------------

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
8		SWSWNE	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
9		NWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
5	75.00		S2SE	18	7S	9W	BEAVERHEAD
6	160.00		SW	18	7S	9W	BEAVERHEAD
7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	25.00		NW	12	7S	10W	BEAVERHEAD
14	80.00		SE	12	7S	10W	BEAVERHEAD
15	35.00		SW	12	7S	10W	BEAVERHEAD
16	2.00		SWSW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						



**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.

103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103126-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1886

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.41 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
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6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
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<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
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6	160.00		SW	18	7S	9W	BEAVERHEAD
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10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
14	25.00		NW	12	7S	10W	BEAVERHEAD
15	80.00		SE	12	7S	10W	BEAVERHEAD
16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**Remarks:**

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103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 103127-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.88 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

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<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
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5		NESWSW	12	7S	10W	BEAVERHEAD
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<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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>
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18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**Water Right Number:** 41B 103128-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JULY 20, 1887

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.88 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE



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<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
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<b>Diversion Means:</b> HEADGATE						
10		SWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
5	75.00		S2SE	18	7S	9W	BEAVERHEAD
6	160.00		SW	18	7S	9W	BEAVERHEAD
7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
14	25.00		NW	12	7S	10W	BEAVERHEAD
15	80.00		SE	12	7S	10W	BEAVERHEAD
16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**Remarks:**

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103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103129-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** MAY 1, 1902

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.75 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SE	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NE	SE	11	7S	10W	BEAVERHEAD
---	--	----	----	----	----	-----	------------

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
8		SWSWNE	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
9		NWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
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10		SWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
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6	160.00		SW	18	7S	9W	BEAVERHEAD
7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		NW	2	7S	10W	BEAVERHEAD
9	25.00		S2SE	2	7S	10W	BEAVERHEAD
10	5.00		SESW	2	7S	10W	BEAVERHEAD
11	7.00		W2NE	11	7S	10W	BEAVERHEAD
12	3.00		NENW	11	7S	10W	BEAVERHEAD
13	21.00		SE	11	7S	10W	BEAVERHEAD
14	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
15	80.00		SE	12	7S	10W	BEAVERHEAD
16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**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.

103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 103130-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1886

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.09 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
---	--	-----	----	----	----	-----	------------

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
8		SWSWNE	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
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<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
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<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
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7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
14	25.00		NW	12	7S	10W	BEAVERHEAD
15	80.00		SE	12	7S	10W	BEAVERHEAD
16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**Remarks:**

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103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 103131-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**\*Priority Date:** JUNE 20, 1887

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.50 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
---	--	-----	----	---	----	-----	------------

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

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<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		NWNESE	11	7S	10W	BEAVERHEAD
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<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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>
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8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
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16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**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.

103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103132-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.08 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
---	--	-----	----	----	----	-----	------------

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
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7		SESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
8		SWSWNE	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
9		NWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNENW	13	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
5	75.00		S2SE	18	7S	9W	BEAVERHEAD
6	160.00		SW	18	7S	9W	BEAVERHEAD
7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
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17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**Remarks:**

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103134-00	103135-00	103136-00	103140-00	103141-00		

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**Water Right Number:** 41B 103133-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** FEBRUARY 8, 1892

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.25 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SE	SW	2	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NE	SE	11	7S	10W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
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7		SESWSW	12	7S	10W	BEAVERHEAD
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<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
5	75.00		S2SE	18	7S	9W	BEAVERHEAD
6	160.00		SW	18	7S	9W	BEAVERHEAD
7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
14	25.00		NW	12	7S	10W	BEAVERHEAD
15	80.00		SE	12	7S	10W	BEAVERHEAD
16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						



**Remarks:**

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103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**Water Right Number:** 41B 103134-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1875

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 421.87 GPM

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SES	SW	2	7S	10W	BEAVERHEAD
---	--	-----	----	---	----	-----	------------

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NEN	SE	11	7S	10W	BEAVERHEAD
---	--	-----	----	----	----	-----	------------

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
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5		NESWSW	12	7S	10W	BEAVERHEAD
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<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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>
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19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

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**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103135-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** MAY 27, 1911

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

THIS RIGHT IS FOR STORAGE WATER IN KELLY RESERVOIR.

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 70.00 AC-FT

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 152.00

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SES	WNW	10	6S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

WATER RELEASED FROM KELLY RESERVOIR USES RATTLESNAKE CREEK AS A NATURAL CARRIER TO CONVEY WATER TO A SECONDARY POINT OF DIVERSION IN THE NENWSW SEC 02 TWP 07S RGE 10W BEAVERHEAD COUNTY.

\*Reservoir: ONSTREAM Reservoir Name: KELLEY RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>
	SWNW 10 6S 11W BEAVERHEAD
<b>Diversion to Reservoir:</b>	DIVERSION # 1
<b>Dam Height:</b>	26.00 FEET
<b>Surface Area:</b>	44.00 ACRES
<b>Capacity:</b>	850.00 ACRE-FEET

SEE THE KELLY RESERVOIR DAM INSPECTION REPORT IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: APRIL 1 TO OCTOBER 1

\*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	16.00	SWSW	7	7S	9W	BEAVERHEAD
2	12.00	SWSW	1	7S	10W	BEAVERHEAD
3	19.00	S2SE	2	7S	10W	BEAVERHEAD
4	3.00	SESW	2	7S	10W	BEAVERHEAD
5	1.00	SWSWNE	12	7S	10W	BEAVERHEAD
6	16.00	NW	12	7S	10W	BEAVERHEAD
7	83.00	SE	12	7S	10W	BEAVERHEAD
8	2.00	NENESW	12	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>152.00</b>					

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.

103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE, PRIORITY DATE.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103136-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** MAY 27, 1911

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

THIS RIGHT IS FOR STORAGE WATER IN KELLY RESERVOIR.

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 155.00 AC-FT

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 350.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SW	10	6S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

WATER RELEASED FROM KELLY RESERVOIR USES RATTLESNAKE CREEK AS A NATURAL CARRIER TO CONVEY WATER TO A SECONDARY POINT OF DIVERSION IN THE SWSWNE SEC 13 TWP 7S RGE 10W BEAVERHEAD COUNTY.



\*Reservoir: ONSTREAM      Reservoir Name: KELLEY RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u> SWNW	<u>Sec</u> 10	<u>Twp</u> 6S	<u>Rge</u> 11W	<u>County</u> BEAVERHEAD
Diversion to Reservoir:	DIVERSION # 1				
Dam Height:	26.00 FEET				
Surface Area:	44.00 ACRES				
Capacity:	850.00 ACRE-FEET				

SEE THE KELLY RESERVOIR DAM INSPECTION REPORT IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use:                APRIL 1 TO OCTOBER 1

\*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	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
2	5.00		NWSWSW	17	7S	9W	BEAVERHEAD
3	86.00			SE 18	7S	9W	BEAVERHEAD
4	160.00			SW 18	7S	9W	BEAVERHEAD
5	5.00		SWSWNE	13	7S	10W	BEAVERHEAD
6	92.00			SE 13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>350.00</b>						

**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.

- |           |           |           |           |           |           |           |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 103120-00 | 103121-00 | 103122-00 | 103123-00 | 103124-00 | 103125-00 | 103126-00 |
| 103127-00 | 103128-00 | 103129-00 | 103130-00 | 103131-00 | 103132-00 | 103133-00 |
| 103134-00 | 103135-00 | 103136-00 | 103140-00 | 103141-00 |           |           |

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/2009: PERIOD OF USE, PRIORITY DATE, TYPE OF RIGHT.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103140-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 20, 1887

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 7.50 CFS

**\*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:** 660.00

**Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW	2	7S	10W	BEAVERHEAD

**\*Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SE	SW	2	7S	10W	BEAVERHEAD
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**\*Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NE	SE	11	7S	10W	BEAVERHEAD
---	--	----	----	----	----	-----	------------

**\*Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NWNESE	11	7S	10W	BEAVERHEAD
<b>*Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	12	7S	10W	BEAVERHEAD
<b>*Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWSWSW	12	7S	10W	BEAVERHEAD
<b>*Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SESWSW	12	7S	10W	BEAVERHEAD
<b>*Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
8		SWSWNE	13	7S	10W	BEAVERHEAD
<b>*Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
9		NWNENW	13	7S	10W	BEAVERHEAD
<b>*Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNENW	13	7S	10W	BEAVERHEAD
<b>*Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**\*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	17.00		SWSW	7	7S	9W	BEAVERHEAD
2	2.00		SWNWSW	17	7S	9W	BEAVERHEAD
3	4.00		NWSWSW	17	7S	9W	BEAVERHEAD
4	15.00		NWSE	18	7S	9W	BEAVERHEAD
5	75.00		S2SE	18	7S	9W	BEAVERHEAD
6	160.00		SW	18	7S	9W	BEAVERHEAD
7	14.00		SWSW	1	7S	10W	BEAVERHEAD
8	25.00		S2SE	2	7S	10W	BEAVERHEAD
9	5.00		SESW	2	7S	10W	BEAVERHEAD
10	7.00		W2NE	11	7S	10W	BEAVERHEAD
11	3.00		NENW	11	7S	10W	BEAVERHEAD
12	21.00		SE	11	7S	10W	BEAVERHEAD
13	2.00		SWSWNE	12	7S	10W	BEAVERHEAD
14	25.00		NW	12	7S	10W	BEAVERHEAD
15	80.00		SE	12	7S	10W	BEAVERHEAD
16	35.00		SW	12	7S	10W	BEAVERHEAD
17	60.00		NE	13	7S	10W	BEAVERHEAD
18	30.00		NW	13	7S	10W	BEAVERHEAD
19	80.00		SE	13	7S	10W	BEAVERHEAD
<b>Total:</b>	<b>660.00</b>						

**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.

103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103141-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** SEPTEMBER 15, 1904

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 67.10 AC-FT

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 101.00

**\*Source Name:** ESTLER CREEK (ESTLER LAKE)

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	29	5S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

WATER RELEASED FROM ESTLER LAKE USES RATTLESNAKE CREEK AS A NATURAL CARRIER TO CONVEY WATER TO A SECONDARY POINT OF DIVERSION IN THE NENWSW SEC 15 TWP 07S RGE 10W BEAVERHEAD COUNTY.

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

Reservoir: ONSTREAM Reservoir Name: ESTLER LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSENE	29	5S	11W	BEAVERHEAD

Diversion to Reservoir: DIVERSION # 1  
 Dam Height: 31.00 FEET  
 Surface Area: 47.00 ACRES  
 Capacity: 577.00 ACRE-FEET

SEE THE DNRC DAM SAFETY WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: APRIL 1 TO OCTOBER 1

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	13.00		SWSW	7	7S	9W	BEAVERHEAD
2	19.00		SWSW	1	7S	10W	BEAVERHEAD
3	22.00		S2SE	2	7S	10W	BEAVERHEAD
4	9.00		SESW	2	7S	10W	BEAVERHEAD
5	3.00		SWSWNE	12	7S	10W	BEAVERHEAD
6	35.00		NW	12	7S	10W	BEAVERHEAD
<b>Total:</b>	101.00						

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.

103120-00	103121-00	103122-00	103123-00	103124-00	103125-00	103126-00
103127-00	103128-00	103129-00	103130-00	103131-00	103132-00	103133-00
103134-00	103135-00	103136-00	103140-00	103141-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/27/2006: PERIOD OF USE, PERIOD OF DIVERSION, AND VOLUME.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1997: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/2009: PLACE OF USE, MAXIMUM ACRES, PRIORITY DATE, TYPE OF RIGHT, PERIOD OF USE.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103150-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** GARY BERGER  
424 S RIFE ST  
DILLON, MT 59725

HELENE BERGER  
424 S RIFE ST  
DILLON, MT 59725

**Priority Date:** MAY 2, 1958

**Type of Historical Right:** FILED

**\*Purpose(use):** LAWN AND GARDEN

**Flow Rate:** 30.00 GPM

**Volume:** 0.50 AC-FT

**Maximum Acres:** 0.39

**\*Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	24		7S	9W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 30

**Diversion Means:** WELL

**Subdivision:** RIFE ORIGINAL TRACT/LOT: 5, 6, 7 BLOCK: 2

**Period of Use:** MAY 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	0.13		NENE	24	7S	9W	BEAVERHEAD
	<b>Subdivision:</b>		RIFE ORIGINAL	TRACT/LOT: 5		BLOCK: 2	
2	0.13		NENE	24	7S	9W	BEAVERHEAD
	<b>Subdivision:</b>		RIFE ORIGINAL	TRACT/LOT: 6		BLOCK: 2	
3	0.13		NENE	24	7S	9W	BEAVERHEAD
	<b>Subdivision:</b>		RIFE ORIGINAL	TRACT/LOT: 7		BLOCK: 2	
<b>Total:</b>	0.39						

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103157-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

GRACE BIBLE CHURCH OF DILLON  
1049 LAKNAR LN  
DILLON, MT 59725 9419

SPITSER FAMILY TRUST  
1179 N REFUGIO RD  
SANTA YNEZ, CA 93460 9317

VICKIE FORBES  
412 33RD AVE NE  
GREAT FALLS, MT 59404 4203

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

ON 02/06/2009 JOSEPH & BRENDA MORSTEIN AND PIERCE & DONNA ROUSE WERE REMOVED AS JOINT OWNERS OF THIS RIGHT. SEE CLAIM FILE FOR EXPLANATION.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** MAY 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 394.94 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

Climatic Area: 3 - MODERATE

Maximum Acres: 50.00  
Source Name: BEAVERHEAD RIVER  
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>Tw</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	7	7S	8W	BEAVERHEAD

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: PORCH-ENNIS DITCH

Period of Use: APRIL 1 TO OCTOBER 31

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1	50.00		E2NE	7	7S	8W	BEAVERHEAD
<b>Total:</b>	50.00						

**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.

103157-00 103158-00 103160-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

USDA AERIAL PHOTOGRAPH NO(S). 779-242 , DATED 09/17/1979 , APPEARS TO INDICATE 26.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-89 , DATED 07/13/1965 , APPEARS TO INDICATE 23.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103158-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

GRACE BIBLE CHURCH OF DILLON  
1049 LAKNAR LN  
DILLON, MT 59725 9419

SPITSER FAMILY TRUST  
1179 N REFUGIO RD  
SANTA YNEZ, CA 93460 9317

VICKIE FORBES  
412 33RD AVE NE  
GREAT FALLS, MT 59404 4203

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

ON 02/06/2009 JOSEPH & BRENDA MORSTEIN AND PIERCE AND DONNA ROUSE WERE REMOVED AS JOINT OWNERS OF THIS RIGHT. SEE CLAIM FILE FOR EXPLANATION.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**\*Priority Date:** MAY 1, 1884

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 1.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 50.00  
**Source Name:** BEAVERHEAD RIVER  
**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		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** APRIL 1 TO OCTOBER 31

**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	50.00		E2NE	7	7S	8W	BEAVERHEAD
<b>Total:</b>	50.00						

**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.

103157-00 103158-00 103160-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 120 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 15224-00, 41B 88270-00, 41B 88276-00, 41B 103158-00, 41B 121013-00, 41B 132390-00.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 779-242 , DATED 09/17/1979 , APPEARS TO INDICATE 26.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-89 , DATED 07/13/1965 , APPEARS TO INDICATE 23.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103159-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** FICK, RONALD G REVOCABLE TRUST  
% RONALD G FICK, TRUSTEE  
PO BOX 1391  
DILLON, MT 59725 1391

FRANCES ANN RORABAUGH  
1700 ELIASON LN  
DILLON, MT 59725 8396

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** OCTOBER 15, 1883

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 3.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 190.00

**Source Name:** BEAVERHEAD RIVER

**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		NENWSE	17	8S	9W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	30.00		E2SE	9		8S	9W	BEAVERHEAD
2	160.00		SW	10		8S	9W	BEAVERHEAD
<b>Total:</b>	190.00							

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103160-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

GRACE BIBLE CHURCH OF DILLON  
1049 LAKNAR LN  
DILLON, MT 59725 9419

SPITSER FAMILY TRUST  
1179 N REFUGIO RD  
SANTA YNEZ, CA 93460 9317

VICKIE FORBES  
412 33RD AVE NE  
GREAT FALLS, MT 59404 4203

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

ON 02-06-2009 JOSEPH & BRENDA MORSTEIN AND PIERCE & DONNA ROUSE WERE REMOVED AS JOINT OWNERS OF THIS RIGHT. SEE CLAIM FILE FOR EXPLANATION.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** APRIL 1, 1887

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 1.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 50.00

**Source Name:** BEAVERHEAD RIVER

**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		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** APRIL 1 TO OCTOBER 31

**\*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	50.00		E2NE	7	7S	8W	BEAVERHEAD
<b>Total:</b>	50.00						

**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.

103157-00 103158-00 103160-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 50 MINER'S INCHES DECREED IN CASE NO. 1053 , BEAVERHEAD COUNTY. 41B 88079-00, 41B 88730-00, 41B 103160-00.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 779-242 , DATED 09/17/1979 , APPEARS TO INDICATE 26.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-89 , DATED 07/31/1965 , APPEARS TO INDICATE 23.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103171-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** LARRY G LAKNAR  
4800 LAKNAR LN  
DILLON, MT 59725

MARGARET D LAKNAR  
4800 LAKNAR LN  
DILLON, MT 59725

**\*Priority Date:** SEPTEMBER 5, 1972

**Type of Historical Right:** FILED

**Purpose(use):** DOMESTIC

**Flow Rate:** 12.00 GPM

**Volume:** 3.00 AC-FT

**Households:** 1

**Maximum Acres:** 1.00

**\*Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**\*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		SWNWSW	32	6S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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	1.00		SWNWSW	32	6S	8W	BEAVERHEAD

**Total:** 1.00

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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 103702-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: GIEM RANCHES INC  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754 9732**

**Priority Date: MAY 25, 1901**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: FLOOD**

**Flow Rate: 3.41 CFS**

**THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.**

**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: 90.00**

**Source Name: BIG HOLE 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		SENWSE	21	4S	7W	MADISON

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** DIKE

**Period of Use:** APRIL 1 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	5.00		SWSWNE	24	4S	7W	MADISON
2	5.00		W2NWSE	24	4S	7W	MADISON
3	80.00		N2SW	24	4S	7W	MADISON
<b>Total:</b>	90.00						

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 103741-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners:** SRI RIVER HOLDINGS LLC  
C/O GEORGE TRISCHMAN  
PO BOX 447  
TWIN BRIDGES, MT 59754

**Priority Date:** JULY 1, 1881

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.61 CFS

**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:** 148.00

**Source Name:** BIG HOLE 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		SESENW	32	3S	6W	MADISON

**Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 TO OCTOBER 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	75.00		W2E2	28	3S	6W	MADISON
2	9.00		SWNESE	28	3S	6W	MADISON
3	63.00		S2SW	28	3S	6W	MADISON
4	1.00		NENWNW	33	3S	6W	MADISON
<b>Total:</b>	148.00						

**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.

103741-00 138092-00 195091-00 195092-00 195093-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/09/1995: PLACE OF USE, MAXIMUM ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 103742-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners:**

COLWELL, FRANK TRUST  
FRANK COLWELL, TRUSTEE  
128 INDIAN CREEK RD  
SHERIDAN, MT 59749

SRI RIVER HOLDINGS LLC  
C/O GEORGE TRISCHMAN  
PO BOX 447  
TWIN BRIDGES, MT 59754

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date: JANUARY 1, 1914**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: FLOOD**

**Flow Rate: 10.95 CFS**

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**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:** 289.00

**Source Name:** BIG HOLE 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		NESEW	11	4S	7W	MADISON

**Period of Diversion:** MAY 1 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Ditch Name:** OWSLEY SLOUGH

OWSLEY SLOUGH IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM BIG HOLE RIVER TO SECONDARY DIVERSIONS IN THE SWNESE, NESWSE SEC 32 AND NWSWSW SEC 33 TWP 3S RGE 6W, MADISON COUNTY.

**Period of Use:** MAY 1 TO OCTOBER 19

**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	48.00		S2	28	3S	6W	MADISON
2	90.00		E2E2	32	3S	6W	MADISON
3	6.00		NWNE	33	3S	6W	MADISON
4	130.00		NW	33	3S	6W	MADISON
5	15.00		N2NWSW	33	3S	6W	MADISON

**Total:** 289.00

**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.

103742-00 103743-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/09/1995: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 103743-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners:**

COLWELL, FRANK TRUST  
FRANK COLWELL, TRUSTEE  
128 INDIAN CREEK RD  
SHERIDAN, MT 59749

SRI RIVER HOLDINGS LLC  
C/O GEORGE TRISCHMAN  
PO BOX 447  
TWIN BRIDGES, MT 59754

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date: SEPTEMBER 2, 1890**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: FLOOD**

**Flow Rate: 10.95 CFS**



THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**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:** 289.00

**Source Name:** BIG HOLE 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		NESESW	11	4S	7W	MADISON

**Period of Diversion:** MAY 1 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Ditch Name:** OWSLEY SLOUGH

**Period of Use:** MAY 1 TO OCTOBER 19

**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	48.00		S2	28	3S	6W	MADISON
2	90.00		E2E2	32	3S	6W	MADISON
3	6.00		NWNE	33	3S	6W	MADISON
4	130.00		NW	33	3S	6W	MADISON
5	15.00		N2NWSW	33	3S	6W	MADISON
<b>Total:</b>	289.00						

**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.

103742-00 103743-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/09/1995: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 29064-00, 195086-00, 195091-00, 103743-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 103754-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

HELEN M MORRIS  
512 E BENCH RD  
TWIN BRIDGES, MT 59754

WALTER E MORRIS  
512 E BENCH RD  
TWIN BRIDGES, MT 59754

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** JUNE 1, 1867

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.43 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 100.00

**Source Name:** BEAVERHEAD 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		NENWNE	14	5S	7W	MADISON

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** ISLAND-MULE SHOE DITCH

**Period of Use:** APRIL 1 TO NOVEMBER 1

**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	100.00		E2	31	4S	6W	MADISON

**Total:** 100.00

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 20.00 GPM PER ACRE.

USDA AERIAL PHOTOGRAPH NO(S). 178-81 , DATED 09/07/1979 , APPEARS TO INDICATE 68.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). MMA-1-150, MMA-1-151 , DATED 10/09/1951 , APPEARS TO INDICATE 74.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 107103-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

JAMES E GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

VIOLA M GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** JULY 1, 1873

**Type of Historical Right:** DECREED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Source Name:** WEST BAKER SLOUGH

**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		E2NE	35	4S	7W	MADISON

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

2		NWNW	36	4S	7W	MADISON
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 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			E2NE	35	4S	7W	MADISON
2			NWNW	36	4S	7W	MADISON

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

107103-00 107104-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 107104-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

JAMES E GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

VIOLA M GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** JULY 1, 1873

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 58.34 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 175.00

**\*Source Name:** BEAVERHEAD 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		SENESE	21	5S	7W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** CO-OP DITCH

**Period of Use:** APRIL 15 TO OCTOBER 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	140.00		NE	35	4S	7W	BEAVERHEAD
2	35.00		W2NW	36	4S	7W	BEAVERHEAD
<b>Total:</b>	175.00						

**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.

107104-00 107105-00 107106-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

107103-00 107104-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**



**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 107105-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

JAMES E GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

VIOLA M GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 1, 1870

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 3.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 175.00

**\*Source Name:** BEAVERHEAD 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		SENESE	21	5S	7W	BEAVERHEAD

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: CO-OP DITCH

Period of Use: APRIL 15 TO OCTOBER 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	140.00		NE	35	4S	7W	BEAVERHEAD
2	35.00		W2NW	36	4S	7W	BEAVERHEAD
<b>Total:</b>	175.00						

**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.

107104-00 107105-00 107106-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 107106-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

JAMES E GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

VIOLA M GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** JULY 1, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 1.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 175.00

**\*Source Name:** BEAVERHEAD 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		SENESE	21	5S	7W	BEAVERHEAD

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: CO-OP DITCH

Period of Use: APRIL 15 TO OCTOBER 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	140.00		NE	35	4S	7W	BEAVERHEAD
2	35.00		W2NW	36	4S	7W	BEAVERHEAD
<b>Total:</b>	175.00						

**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.

107104-00 107105-00 107106-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 107107-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JAMES E GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

VIOLA M GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

**Priority Date:** APRIL 15, 1965

**Type of Historical Right:** USE

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 2.45 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 144.00

**\*Source Name:** UNNAMED TRIBUTARY OF BEAVERHEAD RIVER

**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		NESWSE	20	4S	6W	MADISON

**Period of Diversion:** APRIL 20 TO OCTOBER 15

**Diversion Means:** PUMP

**Period of Use:** APRIL 20 TO OCTOBER 15

**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	15.00		NESE	20	4S	6W	MADISON
2	40.00		SESE	20	4S	6W	MADISON
3	14.00		SWSE	20	4S	6W	MADISON
4	40.00		NENE	29	4S	6W	MADISON
5	35.00		NWNE	29	4S	6W	MADISON
<b>Total:</b>	144.00						

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110308-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** WALSH W-BAR RANCH INC  
1015 E BENCH RD  
TWIN BRIDGES, MT 59754

**Priority Date:** APRIL 15, 1872

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:**

ENTIRE FLOW OF THE SOURCE AS DECREED IN A PRIOR DECREE, CASE NO. 1162 , MADISON COUNTY.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 850.00

**Source Name:** SPRING CREEK

**Source Type:** SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM TROUT CREEK.

**\*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	27	5S	7W	MADISON

**Period of Diversion:** MAY 1 TO NOVEMBER 1

**Diversion Means:** PUMP

2		NESESE	27	5S	7W	MADISON
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**Period of Diversion:** MAY 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE



**\*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>
3		SEWSE	34	5S	7W	MADISON
<b>Period of Diversion:</b> MAY 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
4		SEWSE	34	5S	7W	MADISON
<b>Period of Diversion:</b> MAY 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		SESEW	3	6S	7W	MADISON
<b>Period of Diversion:</b> MAY 1 TO NOVEMBER 1						
<b>Diversion Means:</b> PUMP						
<b>Period of Use:</b> MAY 1 TO NOVEMBER 1						

**\*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	150.00		W2W2	26	5S	7W	MADISON
2	80.00		E2E2	27	5S	7W	MADISON
3	300.00		E2	34	5S	7W	MADISON
4	70.00		W2NW	35	5S	7W	MADISON
5	5.00		NWNWSW	35	5S	7W	MADISON
6	130.00		W2E2	3	6S	7W	MADISON
7	5.00		E2W2NW	3	6S	7W	MADISON
8	110.00		E2W2	3	6S	7W	MADISON
<b>Total:</b>	<b>850.00</b>						

**Remarks:**

AUTHORIZATION TO CHANGE (SEVER/SELL) POINT OF DIVERSION, PLACE OF USE OF A PORTION, 2.5 CFS, COMPLETED 10/13/1977 . FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

AUTHORIZATION TO CHANGE POINT OF DIVERSION, OF A PORTION, COMPLETED 7/17/1981. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE AMOUNT DECREED IN CASE NO. 1162, MADISON COUNTY. 41B 22587-00, 41B 110308-00, 41B 194143-00.

CLAIM NOS. 41B 110308-00 AND 41B 194143-00 ARE REDUNDANT CLAIMS ON THE SAME HISTORIC APPROPRIATION OF WATER. CLAIM NO. 194143-00 REFLECTS THE POST 1973 RIGHT AS AUTHORIZED BY 41B 110308-00. IT APPEARS ONLY ONE WATER RIGHT, 41B 110308-00 , IS INVOLVED.

CASE NO. 1162, MADISON COUNTY, ENTITLES THE USE OF THE ENTIRE FLOW OF SPRING CREEK TO THE PLAINTIFF AND DEFENDANTS PURSUANT TO CERTAIN PROPORTIONS, REGULATIONS AND RESTRICTIONS. THE APPLICATION OF THOSE CONDITIONS IS UNCLEAR FOR THE VARIOUS CLAIMANTS OF THIS WATER RIGHT.

THE MADISON COUNTY WATER RESOURCES SURVEY ( 1953 ) APPEARS TO INDICATE 372.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-46, 178-48 , DATED 09/07/1979 , APPEARS TO INDICATE 662.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110576-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1884

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 4.03 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						

**Period of Use:** APRIL 1 TO NOVEMBER 1

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD

**Total:** 1,168.40

**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.

110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110577-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1887

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 1.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
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11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD
<b>Total:</b>	<b>1,168.40</b>						

**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.

110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110578-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1884

**Type of Historical Right:** DECREED

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

**Flow Rate:** 1.38 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1							
<b>Diversion Means:</b> HEADGATE							
2		NENENW	30	7S	9W	BEAVERHEAD	
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1							
<b>Diversion Means:</b> HEADGATE							
3		NENENW	30	7S	9W	BEAVERHEAD	
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1							
<b>Diversion Means:</b> HEADGATE							

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						

**Period of Use:** APRIL 1 TO NOVEMBER 1

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD

**Total:** 1,168.40

**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.

110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110579-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1881

**Type of Historical Right:** DECREED

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

**Flow Rate:** 1.53 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1							
<b>Diversion Means:</b> HEADGATE							
2		NENENW	30	7S	9W	BEAVERHEAD	
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1							
<b>Diversion Means:</b> HEADGATE							
3		NENENW	30	7S	9W	BEAVERHEAD	
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1							
<b>Diversion Means:</b> HEADGATE							

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD
<b>Total:</b>	1,168.40						

**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.

110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

THE POIT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110580-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 439.82 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD

**Total:** 1,168.40

**Remarks:**

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110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**



**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110581-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 282.74 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD
<b>Total:</b>	<b>1,168.40</b>						

**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.

110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: PLACE OF USE, MAXIMUM ACRES.

THE POINT OD DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

AUTHORIZATION TO CHANGE (SEVER/SELL) AUTHORIZATION TO CHANGE THE PLACE OF USE COMPLETED 04/22/1991 . FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110582-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1875

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 3.75 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						

**Period of Use:** APRIL 1 TO NOVEMBER 1

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD

**Total:** 1,168.40

**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.

110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110583-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 58.34 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE



**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						

**Period of Use:** APRIL 1 TO NOVEMBER 1

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	25	8S	9W	BEAVERHEAD

**Total:** 1,168.40

**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.

110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 110584-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 5.38 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD
<b>Total:</b>	<b>1,168.40</b>						

**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.

110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110585-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 8.48 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NENENW	30	7S	9W	BEAVERHEAD
---	--	--------	----	----	----	------------

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD
<b>Total:</b>	<b>1,168.40</b>						

**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.

110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110586-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 27, 1911

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

THIS RIGHT IS FOR STORAGE IN KELLEY RESERVOIR

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 190.00 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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		SE	SW	10	6S 11W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO NOVEMBER 4

**Diversion Means:** DAM

2		NENENW	30	7S 9W	BEAVERHEAD
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**Period of Diversion:** APRIL 15 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NENENW	30	7S 9W	BEAVERHEAD
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**Period of Diversion:** APRIL 15 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 15 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 15 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 15 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
7		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 15 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						

**Reservoir:** ONSTREAM      **Reservoir Name:** KELLEY RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESWNW	10	6S	11W	BEAVERHEAD
<b>Diversion to Reservoir:</b> DIVERSION # 1					
<b>Dam Height:</b> 26.00 FEET					
<b>Surface Area:</b> 44.00 ACRES					
<b>Capacity:</b> 850.00 ACRE-FEET					

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**Period of Use:** APRIL 15 TO NOVEMBER 1

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD
<b>Total:</b>	<b>1,168.40</b>						

**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.

110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/10/2005: POINT OF DIVERSION, PERIOD OF USE, PERIOD OF DIVERSION.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110587-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** SEPTEMBER 15, 1904

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 302.20 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** ESTLER CREEK

**Source Type:** SURFACE WATER  
ALSO KNOWN AS ESTLER LAKE

**\*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		NE	SE	28	5S 11W	BEAVERHEAD

**Period of Diversion:** JULY 1 TO NOVEMBER 4

**Diversion Means:** DAM

RATTLESNAKE CREEK US USED AS A NATURAL CARRIER TO CONVEY WATER RELEASED FROM ESTLER LAKE. FOR IDENTIFICATION OF THE SECONDARY DIVERSIONS FROM RATTLESNAKE CREEK SEE WATER RIGHT NO. 41B 110576-00.

\*Reservoir: ONSTREAM Reservoir Name: ESTLER LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSENE	29	5S	11W	BEAVERHEAD
<b>Diversion to Reservoir:</b>	DIVERSION # 1				
<b>Dam Height:</b>	31.00 FEET				
<b>Surface Area:</b>	47.00 ACRES				
<b>Capacity:</b>	577.00 ACRE-FEET				

SEE DNRC WORKSHEET IN CLAIM # 41B 103141-00 FOR RESERVOIR INFORMATION.

Period of Use: JULY 1 TO NOVEMBER 1

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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
4	95.90		NW	30	7S	9W	BEAVERHEAD
5	67.00		SE	30	7S	9W	BEAVERHEAD
6	146.50		SW	30	7S	9W	BEAVERHEAD
7	137.30		NE	31	7S	9W	BEAVERHEAD
8	44.00		NW	31	7S	9W	BEAVERHEAD
9	93.00		SE	31	7S	9W	BEAVERHEAD
10	35.50		SW	31	7S	9W	BEAVERHEAD
11	107.50		NE	25	7S	10W	BEAVERHEAD
12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD
<b>Total:</b>	<b>1,168.40</b>						

Remarks:

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110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/10/2005: VOLUME CLAIMED, PERIOD OF USE, PERIOD OF DIVERSION, SECONDARY DIVERSION.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 110588-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1880

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 2.78 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,168.40

**\*Source Name:** RATTLESNAKE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	30	7S	9W	BEAVERHEAD	

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

3		NENENW	30	7S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**\*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>
4		NENENW	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NWNESE	30	7S	9W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
6		NESENE	24	7S	10W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO NOVEMBER 1						

**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	13.30		W2W2E2	29	7S	9W	BEAVERHEAD
2	180.00		W2	29	7S	9W	BEAVERHEAD
3	122.50		NE	30	7S	9W	BEAVERHEAD
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12	68.40		SE	25	7S	10W	BEAVERHEAD
13	57.50		NE	6	8S	9W	BEAVERHEAD
<b>Total:</b>	<b>1,168.40</b>						

**Remarks:**

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110576-00 110577-00 110578-00 110579-00 110580-00 110581-00 110582-00  
 110583-00 110584-00 110585-00 110586-00 110587-00 110588-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/1990: MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/10/2005.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**



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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**Water Right Number:** 41B 110591-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** CARRIE A PETERS  
6000 MT HWY 324  
DILLON, MT 59725 9624

ROGER D PETERS  
6000 MT HWY 324  
DILLON, MT 59725 9624

**Priority Date:** SEPTEMBER 27, 1926

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF JAKE CANYON CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS CASPER LANG SPRINGS

**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		NENENW	25	10S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 31

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			NENENW	25	10S	8W	BEAVERHEAD

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110617-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** FINCH RANCHES LLC  
3570 A BANNACK BENCH RD  
DILLON, MT 59725 9722

**Priority Date:** APRIL 1, 1956

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** TAYLOR 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>Tw</u>	<u>Rge</u>	<u>County</u>
1		NE	35	7S	12W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NE	35	7S	12W	BEAVERHEAD

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**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/12/2007: PLACE OF USE, POINT OF DIVERSION.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110618-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** FINCH RANCHES LLC  
3570 A BANNACK BENCH RD  
DILLON, MT 59725 9722

**Priority Date:** APRIL 1, 1956

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GRASSHOPPER 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		E2W2	35	7S	12W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

2		S2	1	8S	12W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

3		E2	2	8S	12W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

POINT OF DIVERSION IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

Period of Use: JANUARY 1 TO DECEMBER 31

\*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			E2W2	35	7S	12W	BEAVERHEAD
2			S2	1	8S	12W	BEAVERHEAD
3			E2	2	8S	12W	BEAVERHEAD

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110621-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** FINCH RANCHES LLC  
3570 A BANNACK BENCH RD  
DILLON, MT 59725 9722

**\*Priority Date:** DECEMBER 31, 1934

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF COLD SPRING CREEK

**Source Type:** SURFACE WATER  
ALSO KNOWN AS SPENCE SPRING

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	34	7S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NWNWNE	34	7S	11W	BEAVERHEAD



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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110622-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** FINCH RANCHES LLC  
3570 A BANNACK BENCH RD  
DILLON, MT 59725 9722

**Priority Date:** MAY 15, 1888

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 7.58 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE  
AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 200.00

**Source Name:** GRASSHOPPER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	26	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** DIKE

**Ditch Name:** SHAFFNER DITCH NO. 4

**Period of Use:** APRIL 15 TO OCTOBER 15

**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	6.00		SWNE	35	7S	12W	BEAVERHEAD
2	59.00		SE	35	7S	12W	BEAVERHEAD
3	15.00		SWNE	1	8S	12W	BEAVERHEAD
4	80.00		NW	1	8S	12W	BEAVERHEAD
5	40.00		NE	2	8S	12W	BEAVERHEAD
<b>Total:</b>	200.00						

**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.

110622-00 110623-00 110629-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/04/1996: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/02/1986: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/12/2007: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110623-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** FINCH RANCHES LLC  
3570 A BANNACK BENCH RD  
DILLON, MT 59725 9722

**Priority Date:** MAY 15, 1906

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 200.00

**Source Name:** GRASSHOPPER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	26	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** DIKE

**Ditch Name:** SHAFFNER DITCH NO. 4

**Period of Use:** APRIL 15 TO OCTOBER 15

**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	6.00		SWNE	35	7S	12W	BEAVERHEAD
2	59.00		SE	35	7S	12W	BEAVERHEAD
3	15.00		SWNE	1	8S	12W	BEAVERHEAD
4	80.00		NW	1	8S	12W	BEAVERHEAD
5	40.00		NE	2	8S	12W	BEAVERHEAD
<b>Total:</b>	200.00						

**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.

110622-00 110623-00 110629-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/04/96: PERIOD OF USE, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/02/1986: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/12/2007: MAXIMUM ACRES, PLACE OF USE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED RIGHT ON GRASSHOPPER CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1194 BEAVERHEAD COUNTY.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110627-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** FINCH RANCHES LLC  
3570 A BANNACK BENCH RD  
DILLON, MT 59725 9722

**Priority Date:** NOVEMBER 4, 1903

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 7.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 230.00

**Source Name:** GRASSHOPPER 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		SWSWNE	26	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

2		NESENE	35	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

3		SESENW	35	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 15

**Diversion Means:** HEADGATE



**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>
4		SESESW	35	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO OCTOBER 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	30.00		E2NW	35	7S	12W	BEAVERHEAD
2	15.00		E2SW	35	7S	12W	BEAVERHEAD
3	20.00		S2NW	1	8S	12W	BEAVERHEAD
4	5.00		NWNWSW	1	8S	12W	BEAVERHEAD
5	70.00		NE	2	8S	12W	BEAVERHEAD
6	55.00		NW	2	8S	12W	BEAVERHEAD
7	35.00		SE	2	8S	12W	BEAVERHEAD
<b>Total:</b>	230.00						

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/04/1996: POINTS OF DIVERSION, MEANS OF DIVERSION, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/12/2007: POINTS OF DIVERSION, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110629-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** FINCH RANCHES LLC  
3570 A BANNACK BENCH RD  
DILLON, MT 59725 9722

**Priority Date:** JUNE 16, 1885

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 7.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 250.00

**Source Name:** TAYLOR 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SENE	35	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

2		NE	SENE	35	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

3		NW	SENE	35	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**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>
4		NESWNE	35	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

5		NWSWNE	35	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

6		SENWNW	36	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 15 TO OCTOBER 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	45.00		S2NE	35	7S	12W	BEAVERHEAD
2	110.00		SE	35	7S	12W	BEAVERHEAD
3	8.00		SWNE	1	8S	12W	BEAVERHEAD
4	70.00		NW	1	8S	12W	BEAVERHEAD
5	17.00		NENE	2	8S	12W	BEAVERHEAD

**Total:** 250.00

**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.

110622-00 110623-00 110629-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/04/1996: POINT OF DIVERSION, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/12/2007: POINTS OF DIVERSION, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110651-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

**Priority Date:** OCTOBER 7, 1899

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 9.28 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*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:** 245.00

**Source Name:** STONE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SE	SW	12	6S	8W BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO OCTOBER 31

**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	15.00		SENE	11	6S	8W	BEAVERHEAD
2	30.00		NESE	11	6S	8W	BEAVERHEAD
3	20.00		SESE	11	6S	8W	BEAVERHEAD
4	50.00		S2NW	12	6S	8W	BEAVERHEAD
5	130.00		SW	12	6S	8W	BEAVERHEAD
<b>Total:</b>	245.00						

**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.

110651-00 110658-00 110660-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110652-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 28, 1885

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 17.69 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:**

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 480.00

**Source Name:** BEAVERHEAD 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	14	6S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** STAUDAHER DITCH

**Period of Use:** APRIL 1 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	60.00		S2NW	1	6S	8W	BEAVERHEAD
2	34.50		SE	1	6S	8W	BEAVERHEAD
3	147.50		SW	1	6S	8W	BEAVERHEAD
4	60.00		E2SE	2	6S	8W	BEAVERHEAD
5	83.00		NE	11	6S	8W	BEAVERHEAD
6	30.00		N2SE	11	6S	8W	BEAVERHEAD
7	15.00		NESW	11	6S	8W	BEAVERHEAD
8	50.00		N2NW	12	6S	8W	BEAVERHEAD
<b>Total:</b>	480.00						

**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.

110652-00 110655-00 110659-00 110661-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/30/1996: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/2008: MAXIMUM ACRES AND PLACE OF USE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED RIGHT ON THE BEAVERHEAD RIVER WITH A PRIORITY DATE PREDATING CASE NO. 828 BEAVERHEAD COUNTY.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110653-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

**Priority Date:** APRIL 7, 1924

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.00 CFS

**\*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:** 150.00

**Source Name:** CRITTENDEN 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		NWNENE	17	7S	6W	MADISON

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 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	150.00		NW	17	7S	6W	MADISON

**Total:** 150.00

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. AERIAL PHOTOGRAPH NO(S). MMA-001-139 AND MMA-001-175 , DATED 10/09/1951 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION POINT AND CONVEYANCE SYSTEM CANNOT BE CONFIRMED FROM AVAILABLE DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110654-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

**Priority Date:** JUNE 30, 1961

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 3.34 CFS

**\*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:** 200.00

**\*Source Name:** WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BEAVERHEAD RIVER

**Source Type:** SURFACE WATER

ALSO KNOWN AS SMITH MALESICH DRAIN

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SE	11	6S	8W BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** PUMP

**Period of Use:** APRIL 1 TO OCTOBER 31

**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	88.00		SE	11	6S	8W	BEAVERHEAD
2	5.00		SESW	11	6S	8W	BEAVERHEAD
3	5.00		NWNW	13	6S	8W	BEAVERHEAD
4	80.00		N2NE	14	6S	8W	BEAVERHEAD
5	22.00		NENW	14	6S	8W	BEAVERHEAD
<b>Total:</b>	200.00						

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110655-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

**Priority Date:** JUNE 30, 1961

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 9.28 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*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:** 250.00

**\*Source Name:** WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BEAVERHEAD RIVER

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSENE	11	6S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** PUMP

**Period of Use:** APRIL 1 TO OCTOBER 31

**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	65.00		NW	1	6S	8W	BEAVERHEAD
2	140.00		SW	1	6S	8W	BEAVERHEAD
3	30.00		E2E2SE	2	6S	8W	BEAVERHEAD
4	10.00		E2NENE	11	6S	8W	BEAVERHEAD
5	5.00		NWNW	12	6S	8W	BEAVERHEAD
<b>Total:</b>	250.00						

**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.

110652-00 110655-00 110659-00 110661-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/30/1996: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/2008: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110656-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

**Priority Date:** NOVEMBER 20, 1877

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 8.00 CFS

**\*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:** 283.00

**Source Name:** STONE 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		SWNESW	1	7S	7W	MADISON

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

2		SWNENE	2	7S	7W	MADISON
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**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO OCTOBER 31

**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	23.00		SENE	34	6S	7W	MADISON
2	55.00		E2SW	34	6S	7W	MADISON
3	25.00		SWSE	35	6S	7W	MADISON
4	125.00		SW	35	6S	7W	MADISON
5	5.00		SWNW	1	7S	7W	MADISON
6	5.00		NWSW	1	7S	7W	MADISON
7	42.00		NE	2	7S	7W	MADISON
8	3.00		NENW	2	7S	7W	MADISON
<b>Total:</b>	<b>283.00</b>						

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/30/1996: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/02/2011: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/23/2011: PLACE OF USE, MAXIMUM ACRES.

A REQUEST TO WITHDRAW AN AMENDMENT WAS SUBMITTED TO THE DNRC ON 03/02/2011. THE AMENDMENT TO BE WITHDRAWN WAS SUBMITTED TO THE DNRC ON 05/30/1996 WHICH AMENDED THE PLACE OF USE AND MAXIMUM ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110657-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

**Priority Date:** JULY 5, 1889

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.50 CFS

**\*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:** 160.00

**Source Name:** WILLOW SPRING 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		SWSWNE	8	7S	6W	MADISON

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 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	160.00		NW	8	7S	6W	MADISON

**Total:** 160.00

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. AERIAL PHOTOGRAPH NO(S). MMA-001-175 AND MMA-001-138 , DATED 10/09/1951 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE SYSTEM CANNOT BE CONFIRMED FROM AVAILABLE DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110658-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 15, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.08 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 230.00

**Source Name:** BEAVERHEAD 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		NWNENE	22	6S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** STAUDAHER-BISHOP DITCH

**Period of Use:** APRIL 1 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	15.00		SENE	11	6S	8W	BEAVERHEAD
2	35.00		NESE	11	6S	8W	BEAVERHEAD
3	20.00		SESE	11	6S	8W	BEAVERHEAD
4	40.00		S2NW	12	6S	8W	BEAVERHEAD
5	80.00		SW	12	6S	8W	BEAVERHEAD
6	40.00		N2NW	13	6S	8W	BEAVERHEAD
<b>Total:</b>	230.00						

**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.

110651-00 110658-00 110660-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110659-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 15, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.08 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 325.00

**Source Name:** BEAVERHEAD 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		NWNE	22	6S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** STAUDAHER-BISHOP DITCH

**Period of Use:** APRIL 1 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	8.00		SENWNW	1	6S	8W	BEAVERHEAD
2	57.00		S2NW	1	6S	8W	BEAVERHEAD
3	98.00		S2S2	1	6S	8W	BEAVERHEAD
4	61.00		N2SW	1	6S	8W	BEAVERHEAD
5	17.00		W2NE	12	6S	8W	BEAVERHEAD
6	84.00		NW	12	6S	8W	BEAVERHEAD
<b>Total:</b>	325.00						

**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.

110652-00 110655-00 110659-00 110661-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/15/1986: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110660-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 1, 1870

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 210.00

**Source Name:** STODDEN SLOUGH

**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		SWSWSE	22	6S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** JOHNSON DITCH

WATER DIVERTED FROM STODDEN SLOUGH IS CONVEYED TO THE BEAVERHEAD RIVER WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NWNENE SEC 22 TWP 6S RGE 8W BEAVERHEAD COUNTY.

**Period of Use:** APRIL 1 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	40.00		S2S2NW	12	6S	8W	BEAVERHEAD
2	150.00		SW	12	6S	8W	BEAVERHEAD
3	20.00		NWNW	13	6S	8W	BEAVERHEAD
<b>Total:</b>	210.00						

**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.

110651-00 110658-00 110660-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/15/2012: POINTS OF DIVERSION, FLOW RATE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110661-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** APRIL 1, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 235.00

**Source Name:** BEAVERHEAD 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	14	6S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** STAUDAHER DITCH

**Period of Use:** APRIL 1 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	40.00		W2SW	1	6S	8W	BEAVERHEAD
2	50.00		E2SE	2	6S	8W	BEAVERHEAD
3	25.00		NENE	11	6S	8W	BEAVERHEAD
4	15.00		SENE	11	6S	8W	BEAVERHEAD
5	40.00		W2NE	11	6S	8W	BEAVERHEAD
6	25.00		NWSE	11	6S	8W	BEAVERHEAD
7	15.00		NESW	11	6S	8W	BEAVERHEAD
8	25.00		NW	12	6S	8W	BEAVERHEAD

**Total:** 235.00

**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.

110652-00 110655-00 110659-00 110661-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/30/1996: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**



**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110662-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

STONE CREEK RANCHES INC  
9575 MT HIGHWAY 41  
DILLON, MT 59725 8324

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 1, 1887

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.75 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 140.00

**Source Name:** BEAVERHEAD 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	14	6S	8W	BEAVERHEAD

**\*Period of Diversion:** APRIL 1 TO SEPTEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** STAUDAHER DITCH

**\*Period of Use:** APRIL 1 TO SEPTEMBER 30

**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	20.00		NESW	11	6S	8W	BEAVERHEAD
2	80.00		S2SW	11	6S	8W	BEAVERHEAD
3	20.00		NENW	14	6S	8W	BEAVERHEAD
4	20.00		NWNW	14	6S	8W	BEAVERHEAD
<b>Total:</b>	140.00						

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 579-139 , DATED 09/13/1979 , APPEARS TO INDICATE 64.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-1FF-108 , DATED 08/01/1965 , APPEARS TO INDICATE 47.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110685-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

THOMAS A WEBSTER  
PO BOX 735  
DILLON, MT 59725

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**\*Priority Date:** MAY 1, 1885

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.14 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 2.20

**\*Source Name:** BEAVERHEAD RIVER

**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		NWSE	8	7S	8W	BEAVERHEAD

Period of Diversion: MAY 1 TO OCTOBER 1  
Diversion Means: HEADGATE  
Ditch Name: REINHARDT DITCH  
Period of Use: MAY 1 TO OCTOBER 1

**\*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	2.20		NWNWSE	5	7S	8W	BEAVERHEAD
<b>Total:</b>	2.20						

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 200 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 2385-00, 41B 3480-00, 41B 18654-00, 41B 18655-00, 41B 18656-00, 41B 18657-00, 41B 49996-00, 41B 88417-00, 41B 88472-00, 41B 88692-00, 41B 88896-00, 41B 110685-00, 41B 127850-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 233.00 GPM PER ACRE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 41B 88896-00, 41B 110685-00, 41B 2385-00, 41B 18654-00, 41B 18655-00, 41B 18656-00, 41B 18657-00, 41B 49996-00, 41B 88417-00, 41B 88472-00, 41B 88692-00, 41B 127850-00.

THE PRIORITY DATE MAY BE QUESTIONABLE. DECREE 828 BEAVERHEAD COUNTY, INDICATES AN APPROPRIATION FOR DAVID F REINHARDT FOR 200 MI WITH A PRIORITY DATE OF MAY 1, 1885, HOWEVER, THE PRIORITY DATE IS ADJUDGED AND DECREED AS APRIL 30, 1885.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110691-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** BEAVERHEAD COUNTRY CLUB  
PO BOX 426  
DILLON, MT 59725 0426

**Priority Date:** SEPTEMBER 18, 1963

**Type of Historical Right:** FILED

**Purpose(use):** COMMERCIAL

**Purpose Clarification:** COUNTRY CLUB

**Flow Rate:** 50.00 GPM

**Volume:** 24.60 AC-FT

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**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		NENENW	17	7S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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			NENENW	17	7S	8W	BEAVERHEAD

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**Remarks:**

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 07/10/1990.

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



**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110692-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT  
**Status:** ACTIVE

**Owners:** MARTIN L MYERS  
2200 MT HWY 91N  
DILLON, MT 59725 9491  
  
OFELIA MYERS  
2200 MT HWY 91N  
DILLON, MT 59725 9491

**Priority Date:** JANUARY 1, 1948

**Type of Historical Right:** FILED

**Purpose(use):** COMMERCIAL  
**Purpose Clarification:** RESTAURANT

**Flow Rate:** 25.00 GPM

**Volume:** 40.50 AC-FT

**Source Name:** GROUNDWATER  
**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	NW	7	7S	8W BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**\*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			SE	SE	NW	7	7S	8W BEAVERHEAD

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

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**Water Right Number:** 41B 110693-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

DANIEL P IBEY  
\*\*\*DECEASED\*\*\*

1500 CLARK LN  
DILLON, MT 59725

WILLIAM F JOHNSON  
1151 CLARK LN  
DILLON, MT 59725 9407

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** APRIL 15, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 112.20 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 12.71

**Source Name:** BEAVERHEAD 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		SWSWSE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** MARCH 1 TO NOVEMBER 1  
**Diversion Means:** HEADGATE  
**Subdivision:** BEAVERHEAD ACRES  
**Ditch Name:** SELWAY SLOUGH  
**Period of Use:** MARCH 1 TO NOVEMBER 1

**\*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	6.00		N2NESE	6	7S	8W	BEAVERHEAD
		<b>Subdivision:</b>	BEAVERHEAD ACRES	TRACT/LOT:	21		
2	6.71		S2NESE	6	7S	8W	BEAVERHEAD
		<b>Subdivision:</b>	BEAVERHEAD ACRES	TRACT/LOT:	32		
<b>Total:</b>	12.71						

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110702-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 13, 1889

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 4.70 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE  
AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 124.00

**Source Name:** GRASSHOPPER 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		SENENW	16	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 20 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 20 TO OCTOBER 1

**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	5.00		W2SENE	15	7S	12W	BEAVERHEAD
2	39.00		SWNE	15	7S	12W	BEAVERHEAD
3	22.50		NENW	15	7S	12W	BEAVERHEAD
4	38.00		NWNW	15	7S	12W	BEAVERHEAD
5	16.00		SENE	15	7S	12W	BEAVERHEAD
6	3.50		N2SWNW	15	7S	12W	BEAVERHEAD
<b>Total:</b>	124.00						

**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.

110702-00 110703-00 110707-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/28/1992: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

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**Water Right Number:** 41B 110703-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** OCTOBER 4, 1889

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 4.70 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE  
AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 124.00

**Source Name:** GRASSHOPPER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENENW	16		7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 20 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 20 TO OCTOBER 1



**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	5.00		W2SENE	15	7S	12W	BEAVERHEAD
2	39.00		SWNE	15	7S	12W	BEAVERHEAD
3	22.50		NENW	15	7S	12W	BEAVERHEAD
4	38.00		NWNW	15	7S	12W	BEAVERHEAD
5	16.00		SENE	15	7S	12W	BEAVERHEAD
6	3.50		N2SWNW	15	7S	12W	BEAVERHEAD
<b>Total:</b>	124.00						

**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.

110702-00 110703-00 110707-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/28/1992: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

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**Water Right Number:** 41B 110704-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JANUARY 1, 1909

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 282.74 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 119.00

**\*Source Name:** DYCE CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS DYE, DICE, DYSE, DIES AND DYERS CREEK

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	11	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 20 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		NW	SE	11	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 20 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 20 TO OCTOBER 1

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1	96.00		SW	11	7S	12W	BEAVERHEAD
2	23.00		NW	14	7S	12W	BEAVERHEAD
<b>Total:</b>	119.00						

**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.

110704-00 110705-00 110706-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/28/1992: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110705-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JANUARY 1, 1915

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 282.74 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 119.00

**\*Source Name:** DYCE CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS DYE, DICE, DYSE, DIES AND DYERS CREEK

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	11	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 20 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		NW	SE	11	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 20 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 20 TO OCTOBER 1

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1	96.00		SW	11	7S	12W	BEAVERHEAD
2	23.00		NW	14	7S	12W	BEAVERHEAD
<b>Total:</b>	119.00						

**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.

110704-00 110705-00 110706-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/28/1992: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110706-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JANUARY 1, 1887

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.88 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 119.00

**\*Source Name:** DYCE CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS DYE, DICE, DYSE, DIES AND DYERS CREEK

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	11	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 20 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		NW	SE	11	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 20 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 20 TO OCTOBER 1

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1	96.00		SW	11	7S	12W	BEAVERHEAD
2	23.00		NW	14	7S	12W	BEAVERHEAD
<b>Total:</b>	119.00						

**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.

110704-00 110705-00 110706-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/28/1992: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 110707-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** MAY 25, 1889

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 124.00

**Source Name:** GRASSHOPPER 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		SENENW	16	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 20 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 20 TO OCTOBER 1

**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	5.00		W2SENE	15	7S	12W	BEAVERHEAD
2	39.00		SWNE	15	7S	12W	BEAVERHEAD
3	22.50		NENW	15	7S	12W	BEAVERHEAD



**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>
4	38.00		NWNW	15	7S	12W	BEAVERHEAD
5	16.00		SENE	15	7S	12W	BEAVERHEAD
6	3.50		N2SWNW	15	7S	12W	BEAVERHEAD
<b>Total:</b>	124.00						

**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.

110702-00 110703-00 110707-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/28/1992: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111100-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** DICK ROBERTS  
PO BOX 429  
DILLON, MT 59725 0429  
  
ROBERTS LIVESTOCK CO  
PO BOX 429  
DILLON, MT 59725 0429

**Priority Date:** SEPTEMBER 15, 1944

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**Purpose Clarification:** FEED LOT

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** BLACKTAIL DEER 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		E2	NESW 25	7S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 31

**\*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			E2	NESW 25	7S	9W	BEAVERHEAD

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111287-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 3, 1900

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** BUFFALO 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		SENENW	11	8S	13W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

**Period of Use:** JANUARY 1 TO DECEMBER 31

**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				32	7S	12W	BEAVERHEAD
2				5	8S	12W	BEAVERHEAD
3				8	8S	12W	BEAVERHEAD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

111287-00 111288-00 111289-00 111300-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: PERIOD OF USE, TYPE OF HISTORICAL RIGHT.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111288-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 3, 1900

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** BUFFALO 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		SENENW	11	8S	13W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

**Period of Use:** JANUARY 1 TO DECEMBER 31

**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				31	7S	12W	BEAVERHEAD
2				6	8S	12W	BEAVERHEAD
3				7	8S	12W	BEAVERHEAD
4				1	8S	13W	BEAVERHEAD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

111287-00 111288-00 111289-00 111300-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: PERIOD OF USE AND TYPE OF RIGHT.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111289-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 3, 1900

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** BUFFALO 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		SENENW	11	8S	13W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

**Period of Use:** JANUARY 1 TO DECEMBER 31



**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				33	7S	12W	BEAVERHEAD
2				34	7S	12W	BEAVERHEAD
3				4	8S	12W	BEAVERHEAD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

111287-00 111288-00 111289-00 111300-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: PERIOD OF USE AND TYPE OF RIGHT.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111290-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** AUGUST 30, 1913

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 139.50

**Source Name:** TAYLOR CREEK, WEST FORK

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	19	6S	11W	BEAVERHEAD	

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SEWNNE	19	6S	11W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		NESENE	19	6S	11W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		NENESE	19	6S	11W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO OCTOBER 1

**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	1.50		NWNWNE	19	6S	11W	BEAVERHEAD
2	8.50		SEWNE	19	6S	11W	BEAVERHEAD
3	1.00		SWNWNE	19	6S	11W	BEAVERHEAD
4	7.50		NESENE	19	6S	11W	BEAVERHEAD
5	10.00		NWSENE	19	6S	11W	BEAVERHEAD
6	8.00		SESENE	19	6S	11W	BEAVERHEAD
7	10.00		SWSENE	19	6S	11W	BEAVERHEAD
8	19.00		E2SWNE	19	6S	11W	BEAVERHEAD
9	4.50		NENESE	19	6S	11W	BEAVERHEAD
10	10.00		SENESE	19	6S	11W	BEAVERHEAD
11	10.00		SENESE	19	6S	11W	BEAVERHEAD
12	10.00		SWNESE	19	6S	11W	BEAVERHEAD
13	10.00		W2NESE	19	6S	11W	BEAVERHEAD
14	6.00		NENWSE	19	6S	11W	BEAVERHEAD
15	2.50		SENWSE	19	6S	11W	BEAVERHEAD
16	2.50		NESESE	19	6S	11W	BEAVERHEAD
17	2.50		NESESE	19	6S	11W	BEAVERHEAD
18	2.50		NWSESE	19	6S	11W	BEAVERHEAD
19	9.50		SWNWSW	20	6S	11W	BEAVERHEAD
20	1.50		NESWSW	20	6S	11W	BEAVERHEAD
21	2.50		NWSWSW	20	6S	11W	BEAVERHEAD

**Total:** 139.50

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES, PLACE OF USE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON TAYLOR CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 551 BEAVERHEAD COUNTY.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111291-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 26, 1893

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 688.00

**Source Name:** GRASSHOPPER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	15		7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SWNWNE	16		7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SWSWNE	23		7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SESENW	23	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO OCTOBER 1

**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	30.00		SW	14	7S	12W	BEAVERHEAD
2	3.00		NESE	15	7S	12W	BEAVERHEAD
3	5.00		SESE	15	7S	12W	BEAVERHEAD
4	6.00		E2E2	22	7S	12W	BEAVERHEAD
5	115.00		NW	23	7S	12W	BEAVERHEAD
6	36.00		SE	23	7S	12W	BEAVERHEAD
7	151.00		SW	23	7S	12W	BEAVERHEAD
8	220.00		N2	26	7S	12W	BEAVERHEAD
9	32.00		SE	26	7S	12W	BEAVERHEAD
10	90.00		SW	26	7S	12W	BEAVERHEAD
<b>Total:</b>	<b>688.00</b>						

**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.

111291-00 111293-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1995: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111292-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JULY 1, 1912

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 2.37 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 62.50

**Source Name:** TAYLOR 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SW	17	6S	11W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		NE	SW	20	6S	11W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO OCTOBER 1



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	4.00		NENENW	20	6S	11W	BEAVERHEAD
2	10.00		NWNENW	20	6S	11W	BEAVERHEAD
3	9.00		SWNENW	20	6S	11W	BEAVERHEAD
4	1.00		NENWNW	20	6S	11W	BEAVERHEAD
5	7.00		SENWNW	20	6S	11W	BEAVERHEAD
6	4.50		NWSENW	20	6S	11W	BEAVERHEAD
7	1.00		SWSENW	20	6S	11W	BEAVERHEAD
8	10.00		SESWNW	20	6S	11W	BEAVERHEAD
9	0.50		SWSWNW	20	6S	11W	BEAVERHEAD
10	2.50		NENWSW	20	6S	11W	BEAVERHEAD
11	5.00		NWNWSW	20	6S	11W	BEAVERHEAD
12	5.00		SENWSW	20	6S	11W	BEAVERHEAD
13	2.00		SWNWSW	20	6S	11W	BEAVERHEAD
14	1.00		NESWSW	20	6S	11W	BEAVERHEAD
<b>Total:</b>	<b>62.50</b>						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES, PLACE OF USE.

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON TAYLOR CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 551 BEAVERHEAD COUNTY.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111293-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 22, 1899

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 26.06 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 688.00

**\*Source Name:** GRASSHOPPER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	15		7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SWNWNE	16		7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**\*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>
3		SWSWNE	23	7S	12W	BEAVERHEAD

Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: HEADGATE

4		SESENW	23	7S	12W	BEAVERHEAD
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Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 1

**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	30.00		SW	14	7S	12W	BEAVERHEAD
2	3.00		NESE	15	7S	12W	BEAVERHEAD
3	5.00		SESE	15	7S	12W	BEAVERHEAD
4	6.00		E2E2	22	7S	12W	BEAVERHEAD
5	115.00		NW	23	7S	12W	BEAVERHEAD
6	36.00		SE	23	7S	12W	BEAVERHEAD
7	151.00		SW	23	7S	12W	BEAVERHEAD
8	220.00		N2	26	7S	12W	BEAVERHEAD
9	32.00		SE	26	7S	12W	BEAVERHEAD
10	90.00		SW	26	7S	12W	BEAVERHEAD

**Total:** 688.00

**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.

111291-00 111293-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

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**Water Right Number:** 41B 111294-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JULY 29, 1901

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSW	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SENE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
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<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
11		NESW	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S2	15	7S	12W	BEAVERHEAD
2	33.00		SESE	20	7S	12W	BEAVERHEAD
3	78.00		NE	21	7S	12W	BEAVERHEAD
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7	4.00		SE	22	7S	12W	BEAVERHEAD
8	284.00		W2	22	7S	12W	BEAVERHEAD
9	99.00		W2	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N2	29	7S	12W	BEAVERHEAD
12	285.00		S2	29	7S	12W	BEAVERHEAD
13	22.00		SESE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
18	146.00		W2	1	8S	13W	BEAVERHEAD
19	47.00		E2	2	8S	13W	BEAVERHEAD
20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**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.

111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**Water Right Number:** 41B 111295-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 3, 1900

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.75 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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>
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16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
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<b>Total:</b>	<b>2,253.00</b>						

**Remarks:**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**Water Right Number:** 41B 111296-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 15, 1900

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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**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>
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**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111297-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** SEPTEMBER 20, 1908

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	21		7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SENESE	21		7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SENESE	28		7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		S	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		S	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
8		NE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
9		S	2	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		S	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
11		NE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S	15	7S	12W	BEAVERHEAD
2	33.00		SE	20	7S	12W	BEAVERHEAD
3	78.00		NE	21	7S	12W	BEAVERHEAD
4	151.00		SE	21	7S	12W	BEAVERHEAD
5	87.00		SW	21	7S	12W	BEAVERHEAD
6	17.00		NE	22	7S	12W	BEAVERHEAD
7	4.00		SE	22	7S	12W	BEAVERHEAD
8	284.00		W	22	7S	12W	BEAVERHEAD
9	99.00		W	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N	29	7S	12W	BEAVERHEAD
12	285.00		S	29	7S	12W	BEAVERHEAD
13	22.00		SE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD



**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>
18	146.00		W2	1	8S	13W	BEAVERHEAD
19	47.00		E2	2	8S	13W	BEAVERHEAD
20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**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.

111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 111298-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1876

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSW	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SENE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
8		NESW	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
9		SWSE	2	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
11		NESW	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S2	15	7S	12W	BEAVERHEAD
2	33.00		SESE	20	7S	12W	BEAVERHEAD
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6	17.00		NE	22	7S	12W	BEAVERHEAD
7	4.00		SE	22	7S	12W	BEAVERHEAD
8	284.00		W2	22	7S	12W	BEAVERHEAD
9	99.00		W2	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N2	29	7S	12W	BEAVERHEAD
12	285.00		S2	29	7S	12W	BEAVERHEAD
13	22.00		SESE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
18	47.00		E2	2	8S	13W	BEAVERHEAD
19	41.00		NW	12	8S	13W	BEAVERHEAD
20	146.00		W2	15	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**Remarks:**

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111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**Water Right Number:** 41B 111299-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 23, 1899

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.80 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSENW	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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10		SWNENW	11	8S	13W	BEAVERHEAD
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<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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>
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15	82.00		NE	32	7S	12W	BEAVERHEAD
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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111300-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 3, 1900

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.30 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE



**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>
4		S	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		S	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
8		NE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
9		S	2	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		S	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
11		NE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S	15	7S	12W	BEAVERHEAD
2	33.00		SE	20	7S	12W	BEAVERHEAD
3	78.00		NE	21	7S	12W	BEAVERHEAD
4	151.00		SE	21	7S	12W	BEAVERHEAD
5	87.00		SW	21	7S	12W	BEAVERHEAD
6	17.00		NE	22	7S	12W	BEAVERHEAD
7	4.00		SE	22	7S	12W	BEAVERHEAD
8	284.00		W	22	7S	12W	BEAVERHEAD
9	99.00		W	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N	29	7S	12W	BEAVERHEAD
12	285.00		S	29	7S	12W	BEAVERHEAD
13	22.00		SE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
18	146.00		W2	1	8S	13W	BEAVERHEAD
19	47.00		E2	2	8S	13W	BEAVERHEAD
20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**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.

111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

111287-00 111288-00 111289-00 111300-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111301-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** APRIL 24, 1901

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSW	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SENE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
8		NESW	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
9		SWSE	2	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
11		NESW	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S2	15	7S	12W	BEAVERHEAD
2	33.00		SESE	20	7S	12W	BEAVERHEAD
3	78.00		NE	21	7S	12W	BEAVERHEAD
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7	4.00		SE	22	7S	12W	BEAVERHEAD
8	284.00		W2	22	7S	12W	BEAVERHEAD
9	99.00		W2	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N2	29	7S	12W	BEAVERHEAD
12	285.00		S2	29	7S	12W	BEAVERHEAD
13	22.00		SESE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
18	146.00		W2	1	8S	13W	BEAVERHEAD
19	47.00		E2	2	8S	13W	BEAVERHEAD
20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	2,253.00						

**Remarks:**

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111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111302-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 1, 1909

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
---	--	----	----	----	----	----	-----	------------

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSW	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
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<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
8		NESW	31	7S	12W	BEAVERHEAD
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<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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10		SWNE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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11		NESW	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S2	15	7S	12W	BEAVERHEAD
2	33.00		SESE	20	7S	12W	BEAVERHEAD
3	78.00		NE	21	7S	12W	BEAVERHEAD
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6	17.00		NE	22	7S	12W	BEAVERHEAD
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8	284.00		W2	22	7S	12W	BEAVERHEAD
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10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N2	29	7S	12W	BEAVERHEAD
12	285.00		S2	29	7S	12W	BEAVERHEAD
13	22.00		SESE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD



**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>
18	146.00		W2	1	8S	13W	BEAVERHEAD
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20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**Remarks:**

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111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111303-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** AUGUST 27, 1885

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.63 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		S	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		S	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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8		NE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
9		S	2	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		S	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
11		NE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S	15	7S	12W	BEAVERHEAD
2	33.00		SE	20	7S	12W	BEAVERHEAD
3	78.00		NE	21	7S	12W	BEAVERHEAD
4	151.00		SE	21	7S	12W	BEAVERHEAD
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6	17.00		NE	22	7S	12W	BEAVERHEAD
7	4.00		SE	22	7S	12W	BEAVERHEAD
8	284.00		W	22	7S	12W	BEAVERHEAD
9	99.00		W	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N	29	7S	12W	BEAVERHEAD
12	285.00		S	29	7S	12W	BEAVERHEAD
13	22.00		SE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
18	146.00		W2	1	8S	13W	BEAVERHEAD
19	47.00		E2	2	8S	13W	BEAVERHEAD
20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**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.

111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**Water Right Number:** 41B 111304-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** APRIL 18, 1886

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSW	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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7		SENE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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8		NESW	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
9		SWSE	2	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S2	15	7S	12W	BEAVERHEAD
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10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N2	29	7S	12W	BEAVERHEAD
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13	22.00		SESE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
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20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**Remarks:**

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111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111305-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 20, 1899

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE



**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

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

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**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111307-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**\*Priority Date:** DECEMBER 31, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.88 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 66.00

**Source Name:** DYCE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	14		7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** R. N. GARY DITCH NO. 5

2		SWSWNW	14		7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO OCTOBER 1

**\*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	1.00		SW	NENW	14	7S 12W	BEAVERHEAD
2	1.00		SE	NWNW	14	7S 12W	BEAVERHEAD
3	7.00		E2	SE	14	7S 12W	BEAVERHEAD
4	18.00		SW	NW	14	7S 12W	BEAVERHEAD
5	23.00		N	WSW	14	7S 12W	BEAVERHEAD
6	1.00		SW	NWSW	14	7S 12W	BEAVERHEAD
7	14.00		SE	SW	14	7S 12W	BEAVERHEAD
8	1.00		NE	SWSW	14	7S 12W	BEAVERHEAD
<b>Total:</b>	<b>66.00</b>						

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/96: MAXIMUM ACRES, PLACE OF USE.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 111308-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 15, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 7.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 320.00

**Source Name:** DIVIDE 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		SESWSE	11	6S	13W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** DIVIDE CREEK DITCH

**Period of Use:** APRIL 1 TO OCTOBER 1

**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	320.00		S2	12	6S	13W	BEAVERHEAD

**Total:** 320.00

**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.

111308-00 111309-00 111310-00 111316-00 111317-00

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

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

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**Water Right Number:** 41B 111309-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JULY 3, 1883

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 642.00

**Source Name:** POLE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	NE	2	6S	13W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** POLE CREEK DITCH

**Period of Use:** APRIL 1 TO OCTOBER 1

**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	10.00		NWN	SW	7	6S 12W	BEAVERHEAD
2	10.00		SWN	SW	7	6S 12W	BEAVERHEAD
3	10.00		NWS	SW	7	6S 12W	BEAVERHEAD
4	10.00		SES	SW	7	6S 12W	BEAVERHEAD
5	10.00		SWS	SW	7	6S 12W	BEAVERHEAD
6	10.00		NWN	NW	18	6S 12W	BEAVERHEAD
7	5.00		SEN	NW	18	6S 12W	BEAVERHEAD
8	10.00		SWN	NW	18	6S 12W	BEAVERHEAD
9	10.00		NE	SW	18	6S 12W	BEAVERHEAD
10	10.00		NWS	NW	18	6S 12W	BEAVERHEAD
11	10.00		SE	SW	18	6S 12W	BEAVERHEAD
12	10.00		SWS	NW	18	6S 12W	BEAVERHEAD
13	320.00		E2		12	6S 13W	BEAVERHEAD
14	5.00		NEN	EN	12	6S 13W	BEAVERHEAD
15	7.00		NWN	EN	12	6S 13W	BEAVERHEAD
16	5.00		SEN	EN	12	6S 13W	BEAVERHEAD
17	40.00		NW	NW	12	6S 13W	BEAVERHEAD
18	10.00		NE	EN	12	6S 13W	BEAVERHEAD
19	3.00		NW	SE	12	6S 13W	BEAVERHEAD
20	10.00		SE	EN	12	6S 13W	BEAVERHEAD
21	5.00		SW	SE	12	6S 13W	BEAVERHEAD
22	7.00		SW	SE	12	6S 13W	BEAVERHEAD
23	10.00		NE	SW	12	6S 13W	BEAVERHEAD
24	10.00		NWS	NW	12	6S 13W	BEAVERHEAD
25	80.00		E2	SW	12	6S 13W	BEAVERHEAD
26	5.00		NE	SW	12	6S 13W	BEAVERHEAD
27	10.00		SE	SW	12	6S 13W	BEAVERHEAD
<b>Total:</b>	<b>642.00</b>						

**Remarks:**

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111308-00 111309-00 111310-00 111316-00 111317-00

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 111310-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JULY 1, 1888

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.63 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 565.00

**Source Name:** GRASSHOPPER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	30	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** TASH DITCH

**Period of Use:** APRIL 1 TO OCTOBER 1

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	10.00		NWN	7	6S	12W	BEAVERHEAD
2	10.00		SWN	7	6S	12W	BEAVERHEAD
3	10.00		NWS	7	6S	12W	BEAVERHEAD
4	10.00		SES	7	6S	12W	BEAVERHEAD
5	10.00		SWS	7	6S	12W	BEAVERHEAD
6	10.00		NWN	18	6S	12W	BEAVERHEAD
7	5.00		SEN	18	6S	12W	BEAVERHEAD
8	10.00		SWN	18	6S	12W	BEAVERHEAD
9	10.00		NES	18	6S	12W	BEAVERHEAD
10	10.00		NWS	18	6S	12W	BEAVERHEAD
11	10.00		SES	18	6S	12W	BEAVERHEAD
12	10.00		SWS	18	6S	12W	BEAVERHEAD
13	320.00		E2	12	6S	13W	BEAVERHEAD
14	5.00		NEN	12	6S	13W	BEAVERHEAD
15	5.00		SEN	12	6S	13W	BEAVERHEAD
16	10.00		NESE	12	6S	13W	BEAVERHEAD
17	10.00		SESE	12	6S	13W	BEAVERHEAD
18	5.00		SWSE	12	6S	13W	BEAVERHEAD
19	80.00		E2SW	12	6S	13W	BEAVERHEAD
20	5.00		NESW	12	6S	13W	BEAVERHEAD
21	10.00		SESW	12	6S	13W	BEAVERHEAD
<b>Total:</b>	<b>565.00</b>						

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.

111308-00 111309-00 111310-00 111316-00 111317-00

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 111311-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JULY 1, 1876

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSW	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SENE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
8		NESW	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
9		SWSE	2	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
11		NESW	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S2	15	7S	12W	BEAVERHEAD
2	33.00		SESE	20	7S	12W	BEAVERHEAD
3	78.00		NE	21	7S	12W	BEAVERHEAD
4	151.00		SE	21	7S	12W	BEAVERHEAD
5	87.00		SW	21	7S	12W	BEAVERHEAD
6	17.00		NE	22	7S	12W	BEAVERHEAD
7	4.00		SE	22	7S	12W	BEAVERHEAD
8	284.00		W2	22	7S	12W	BEAVERHEAD
9	99.00		W2	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N2	29	7S	12W	BEAVERHEAD
12	285.00		S2	29	7S	12W	BEAVERHEAD
13	22.00		SESE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
18	146.00		W2	1	8S	13W	BEAVERHEAD
19	47.00		E2	2	8S	13W	BEAVERHEAD
20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**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.

111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111312-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** AUGUST 13, 1883

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		S	W	SE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE



**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>
4		NESESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSWSE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SENESE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
8		NESWNE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
9		SWSESE	2	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNENW	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
11		NESWNW	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S2	15	7S	12W	BEAVERHEAD
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9	99.00		W2	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N2	29	7S	12W	BEAVERHEAD
12	285.00		S2	29	7S	12W	BEAVERHEAD
13	22.00		SESE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
18	146.00		W2	1	8S	13W	BEAVERHEAD
19	47.00		E2	2	8S	13W	BEAVERHEAD
20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**Remarks:**

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111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

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**Water Right Number:** 41B 111313-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSENW	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSWSE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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7		SENESE	31	7S	12W	BEAVERHEAD
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8		NESWNE	31	7S	12W	BEAVERHEAD
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<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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**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>
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<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>
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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 111314-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JUNE 1, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSW	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SENE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
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8		NESW	31	7S	12W	BEAVERHEAD
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<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S2	15	7S	12W	BEAVERHEAD
2	33.00		SESE	20	7S	12W	BEAVERHEAD
3	78.00		NE	21	7S	12W	BEAVERHEAD
4	151.00		SE	21	7S	12W	BEAVERHEAD
5	87.00		SW	21	7S	12W	BEAVERHEAD
6	17.00		NE	22	7S	12W	BEAVERHEAD
7	4.00		SE	22	7S	12W	BEAVERHEAD
8	284.00		W2	22	7S	12W	BEAVERHEAD
9	99.00		W2	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N2	29	7S	12W	BEAVERHEAD
12	285.00		S2	29	7S	12W	BEAVERHEAD
13	22.00		SESE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
18	146.00		W2	1	8S	13W	BEAVERHEAD
19	47.00		E2	2	8S	13W	BEAVERHEAD
20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**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.

111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 111315-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JULY 12, 1883

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SE	SW	15	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	NE	SE	21	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	NE	NW	28	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSW	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SENE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
8		NESW	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
9		SWSE	2	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
11		NESW	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S2	15	7S	12W	BEAVERHEAD
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8	284.00		W2	22	7S	12W	BEAVERHEAD
9	99.00		W2	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N2	29	7S	12W	BEAVERHEAD
12	285.00		S2	29	7S	12W	BEAVERHEAD
13	22.00		SESE	30	7S	12W	BEAVERHEAD
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15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD

**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>
18	146.00		W2	1	8S	13W	BEAVERHEAD
19	47.00		E2	2	8S	13W	BEAVERHEAD
20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**Remarks:**

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111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 111316-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 1, 1888

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.88 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 565.00

**Source Name:** GRASSHOPPER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	30	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** TASH DITCH

**Period of Use:** APRIL 1 TO OCTOBER 1

**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	10.00		NWN	7	6S	12W	BEAVERHEAD
2	10.00		SWN	7	6S	12W	BEAVERHEAD
3	10.00		NWS	7	6S	12W	BEAVERHEAD
4	10.00		SES	7	6S	12W	BEAVERHEAD
5	10.00		SWS	7	6S	12W	BEAVERHEAD
6	10.00		NWN	18	6S	12W	BEAVERHEAD
7	5.00		SEN	18	6S	12W	BEAVERHEAD
8	10.00		SWN	18	6S	12W	BEAVERHEAD
9	10.00		NES	18	6S	12W	BEAVERHEAD
10	10.00		NWS	18	6S	12W	BEAVERHEAD
11	10.00		SES	18	6S	12W	BEAVERHEAD
12	10.00		SWS	18	6S	12W	BEAVERHEAD
13	320.00		E2	12	6S	13W	BEAVERHEAD
14	5.00		NEN	12	6S	13W	BEAVERHEAD
15	5.00		SEN	12	6S	13W	BEAVERHEAD
16	10.00		NESE	12	6S	13W	BEAVERHEAD
17	10.00		SESE	12	6S	13W	BEAVERHEAD
18	5.00		SWSE	12	6S	13W	BEAVERHEAD
19	80.00		E2SW	12	6S	13W	BEAVERHEAD
20	5.00		NESW	12	6S	13W	BEAVERHEAD
21	10.00		SESW	12	6S	13W	BEAVERHEAD
<b>Total:</b>	<b>565.00</b>						

**Remarks:**

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111308-00 111309-00 111310-00 111316-00 111317-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 111317-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** MAY 1, 1888

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 565.00

**Source Name:** GRASSHOPPER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	30	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** TASH DITCH

**Period of Use:** APRIL 1 TO OCTOBER 1

**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	10.00		NWN	7	6S	12W	BEAVERHEAD
2	10.00		SWN	7	6S	12W	BEAVERHEAD
3	10.00		NWS	7	6S	12W	BEAVERHEAD
4	10.00		SES	7	6S	12W	BEAVERHEAD
5	10.00		SWS	7	6S	12W	BEAVERHEAD
6	10.00		NWN	18	6S	12W	BEAVERHEAD
7	5.00		SEN	18	6S	12W	BEAVERHEAD
8	10.00		SWN	18	6S	12W	BEAVERHEAD
9	10.00		NE	18	6S	12W	BEAVERHEAD
10	10.00		NWS	18	6S	12W	BEAVERHEAD
11	10.00		SE	18	6S	12W	BEAVERHEAD
12	10.00		SWS	18	6S	12W	BEAVERHEAD
13	320.00		E2	12	6S	13W	BEAVERHEAD
14	5.00		NEN	12	6S	13W	BEAVERHEAD
15	5.00		SEN	12	6S	13W	BEAVERHEAD
16	10.00		NE	12	6S	13W	BEAVERHEAD
17	10.00		SE	12	6S	13W	BEAVERHEAD
18	5.00		S	12	6S	13W	BEAVERHEAD
19	80.00		E2	12	6S	13W	BEAVERHEAD
20	5.00		NE	12	6S	13W	BEAVERHEAD
21	10.00		SE	12	6S	13W	BEAVERHEAD
<b>Total:</b>	<b>565.00</b>						

**Remarks:**

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111308-00 111309-00 111310-00 111316-00 111317-00

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

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**Water Right Number:** 41B 113268-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS  
PO BOX 200701  
HELENA, MT 59620 0701

**Priority Date:** JUNE 1, 1903

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.75 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 651.00

**\*Source Name:** BLACKTAIL DEER CREEK, EAST FORK

**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		SWNESE	8	11S	5W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** JONES AND DAVIDSON DITCH

2		NWSWNW	16	11S	5W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 4

**\*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>
3		SWSESW	1	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> NORTH SIDE DITCH						
4		SWSWSW	1	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	2	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> JOHN R. SELWAY DITCH NO. 7						
6		NENWNE	10	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> ISLAND DITCH						
<b>Period of Use:</b> MAY 1 TO SEPTEMBER 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	35.00		NENE	7	11S	5W	BEAVERHEAD
2	10.00		E2NWNE	7	11S	5W	BEAVERHEAD
3	10.00		N2SENE	7	11S	5W	BEAVERHEAD
4	30.00		E2NW	8	11S	5W	BEAVERHEAD
5	40.00		W2NW	8	11S	5W	BEAVERHEAD
6	27.00		NWSE	8	11S	5W	BEAVERHEAD
7	12.00		W2SESE	8	11S	5W	BEAVERHEAD
8	15.00		E2NESW	8	11S	5W	BEAVERHEAD
9	20.00		SWSW	1	11S	6W	BEAVERHEAD
10	55.00		S2SE	2	11S	6W	BEAVERHEAD
11	15.00		E2SESW	2	11S	6W	BEAVERHEAD
12	15.00		W2SESW	2	11S	6W	BEAVERHEAD
13	20.00		SWSW	2	11S	6W	BEAVERHEAD
14	55.00		S2SE	3	11S	6W	BEAVERHEAD
15	15.00		NESW	3	11S	6W	BEAVERHEAD
16	40.00		NWSW	3	11S	6W	BEAVERHEAD
17	70.00		S2SW	3	11S	6W	BEAVERHEAD
18	60.00		N2SE	4	11S	6W	BEAVERHEAD
19	20.00		N2SESE	4	11S	6W	BEAVERHEAD
20	5.00		NESWSE	4	11S	6W	BEAVERHEAD
21	77.00		N2N2	11	11S	6W	BEAVERHEAD
22	5.00		NWNWNW	12	11S	6W	BEAVERHEAD
<b>Total:</b>	<b>651.00</b>						

**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.

113268-00 113269-00 113270-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/15/2012: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

USDA AERIAL PHOTOGRAPH NO(S). 579-73, 579-60, 579-71 , DATED 09/11/1979 , APPEARS TO INDICATE 554 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-9P-90, CXM-8FF-177, CXM- 3FF-177 , DATED 08/02/1955, 08/14/1965 , APPEARS TO INDICATE 575 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 113269-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS  
PO BOX 200701  
HELENA, MT 59620 0701

**\*Priority Date:** MAY 31, 1887

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 5.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 651.00

**\*Source Name:** BLACKTAIL DEER CREEK, EAST FORK

**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		SWNESE	8	11S	5W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** JONES AND DAVIDSON DITCH

2		NWSWNW	16	11S	5W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 4

**\*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>
3		SWSESW	1	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> NORTH SIDE DITCH						
4		SWSWSW	1	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	2	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> JOHN R. SELWAY DITCH NO. 7						
6		NENWNE	10	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> ISLAND DITCH						
<b>Period of Use:</b> MAY 1 TO SEPTEMBER 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	35.00		NENE	7	11S	5W	BEAVERHEAD
2	10.00		E2NWNE	7	11S	5W	BEAVERHEAD
3	10.00		N2SENE	7	11S	5W	BEAVERHEAD
4	30.00		E2NW	8	11S	5W	BEAVERHEAD
5	40.00		W2NW	8	11S	5W	BEAVERHEAD
6	27.00		NWSE	8	11S	5W	BEAVERHEAD
7	12.00		W2SESE	8	11S	5W	BEAVERHEAD
8	15.00		E2NESW	8	11S	5W	BEAVERHEAD
9	20.00		SWSW	1	11S	6W	BEAVERHEAD
10	55.00		S2SE	2	11S	6W	BEAVERHEAD
11	15.00		E2SESW	2	11S	6W	BEAVERHEAD
12	15.00		W2SESW	2	11S	6W	BEAVERHEAD
13	20.00		SWSW	2	11S	6W	BEAVERHEAD
14	55.00		S2SE	3	11S	6W	BEAVERHEAD
15	15.00		NESW	3	11S	6W	BEAVERHEAD
16	40.00		NWSW	3	11S	6W	BEAVERHEAD
17	70.00		S2SW	3	11S	6W	BEAVERHEAD
18	60.00		N2SE	4	11S	6W	BEAVERHEAD
19	20.00		N2SESE	4	11S	6W	BEAVERHEAD
20	5.00		NESWSE	4	11S	6W	BEAVERHEAD
21	77.00		N2N2	11	11S	6W	BEAVERHEAD
22	5.00		NWNWNW	12	11S	6W	BEAVERHEAD
<b>Total:</b>	<b>651.00</b>						

**Remarks:**

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113268-00 113269-00 113270-00

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AERIAL PHOTOGRAPH NO(S). CXM-9P-90, CXM-8FF-278, CXM-3FF-177 , DATED 08/02/1955, 08/14/1965 , APPEARS TO INDICATE 575 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 113270-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS  
PO BOX 200701  
HELENA, MT 59620 0701

**\*Priority Date:** MAY 31, 1890

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 651.00

**\*Source Name:** BLACKTAIL DEER CREEK, EAST FORK

**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		SWNESE	8	11S	5W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** JONES AND DAVIDSON DITCH

2		NWSWNW	16	11S	5W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 4



**\*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>
3		SWSESW	1	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> NORTH SIDE DITCH						
4		SWSWSW	1	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
5		NESWSW	2	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> JOHN R. SELWAY DITCH NO. 7						
6		NENWNE	10	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO SEPTEMBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> ISLAND DITCH						
<b>Period of Use:</b> MAY 1 TO SEPTEMBER 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	35.00		NENE	7	11S	5W	BEAVERHEAD
2	10.00		E2NWNE	7	11S	5W	BEAVERHEAD
3	10.00		N2SENE	7	11S	5W	BEAVERHEAD
4	30.00		E2NW	8	11S	5W	BEAVERHEAD
5	40.00		W2NW	8	11S	5W	BEAVERHEAD
6	27.00		NWSE	8	11S	5W	BEAVERHEAD
7	12.00		W2SESE	8	11S	5W	BEAVERHEAD
8	15.00		E2NESW	8	11S	5W	BEAVERHEAD
9	20.00		SWSW	1	11S	6W	BEAVERHEAD
10	55.00		S2SE	2	11S	6W	BEAVERHEAD
11	15.00		E2SESW	2	11S	6W	BEAVERHEAD
12	15.00		W2SESW	2	11S	6W	BEAVERHEAD
13	20.00		SWSW	2	11S	6W	BEAVERHEAD
14	55.00		S2SE	3	11S	6W	BEAVERHEAD
15	15.00		NESW	3	11S	6W	BEAVERHEAD
16	40.00		NWSW	3	11S	6W	BEAVERHEAD
17	70.00		S2SW	3	11S	6W	BEAVERHEAD
18	60.00		N2SE	4	11S	6W	BEAVERHEAD
19	20.00		N2SESE	4	11S	6W	BEAVERHEAD
20	5.00		NESWSE	4	11S	6W	BEAVERHEAD
21	77.00		N2N2	11	11S	6W	BEAVERHEAD
22	5.00		NWNWNW	12	11S	6W	BEAVERHEAD
<b>Total:</b>	<b>651.00</b>						

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 113271-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS  
PO BOX 200701  
HELENA, MT 59620 0701

**Priority Date:** JULY 1, 1905

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**\*Maximum Acres:** 137.00

**\*Source Name:** ALKALI 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	12	11S	6W	BEAVERHEAD	

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 3

2		NWSWNE	12	11S	6W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 1

**\*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>
3		SESENW	12	11S	6W	BEAVERHEAD

Period of Diversion: MAY 1 TO SEPTEMBER 15

Diversion Means: HEADGATE

Ditch Name: DITCH NO. 2

Period of Use: MAY 1 TO SEPTEMBER 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	10.00		NWNW	7	11S	5W	BEAVERHEAD
2	5.00		S2S2SE	1	11S	6W	BEAVERHEAD
3	12.00		S2SW	1	11S	6W	BEAVERHEAD
4	45.00		N2NE	12	11S	6W	BEAVERHEAD
5	65.00		N2NW	12	11S	6W	BEAVERHEAD
<b>Total:</b>	137.00						

**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.

113271-00 113272-00 113273-00 113274-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/15/2012: PLACE OF USE, MAXIMUM ACRES.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 579-71 , DATED 1979 , APPEARS TO INDICATE 73 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-177 , DATED 08/14/1965 , APPEARS TO INDICATE 109 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 113272-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS  
PO BOX 200701  
HELENA, MT 59620 0701

**\*Priority Date:** NOVEMBER 30, 1889

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.75 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**\*Maximum Acres:** 137.00

**\*Source Name:** ALKALI 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		SWNWNE	12	11S	6W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 3

2		NWSWNE	12	11S	6W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 1

**\*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>
3		SESENW	12	11S	6W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 2

**Period of Use:** MAY 1 TO SEPTEMBER 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	10.00		NWNW	7	11S	5W	BEAVERHEAD
2	5.00		S2S2SE	1	11S	6W	BEAVERHEAD
3	12.00		S2SW	1	11S	6W	BEAVERHEAD
4	45.00		N2NE	12	11S	6W	BEAVERHEAD
5	65.00		N2NW	12	11S	6W	BEAVERHEAD
<b>Total:</b>	137.00						

**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.

113271-00 113272-00 113273-00 113274-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/15/2012: PLACE OF USE, MAXIMUM ACRES.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 579-71 , DATED 09/11/1979 , APPEARS TO INDICATE 73 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-177 , DATED 08/14/1965 , APPEARS TO INDICATE 109 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 113273-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS  
PO BOX 200701  
HELENA, MT 59620 0701

**Priority Date:** JUNE 12, 1888

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.75 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**\*Maximum Acres:** 137.00

**\*Source Name:** ALKALI 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	12	11S	6W	BEAVERHEAD	

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 3

2		NWSWNE	12	11S	6W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 1

**\*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>
3		SESENW	12	11S	6W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DITCH NO. 2

**Period of Use:** MAY 1 TO SEPTEMBER 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	10.00		NWNW	7	11S	5W	BEAVERHEAD
2	5.00		S2S2SE	1	11S	6W	BEAVERHEAD
3	12.00		S2SW	1	11S	6W	BEAVERHEAD
4	45.00		N2NE	12	11S	6W	BEAVERHEAD
5	65.00		N2NW	12	11S	6W	BEAVERHEAD
<b>Total:</b>	137.00						

**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.

113271-00 113272-00 113273-00 113274-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/15/2012: PLACE OF USE, MAXIMUM ACRES.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 579-71 , DATED 09/11/1979 , APPEARS TO INDICATE 73 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-177 , DATED 08/14/1965 , APPEARS TO INDICATE 109 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 113274-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS  
PO BOX 200701  
HELENA, MT 59620 0701

**Priority Date:** JULY 1, 1905

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:**

ENTIRE FLOW OF THE SOURCE AS DECREED IN A PRIOR DECREE, CASE NO. 5835 , BEAVERHEAD COUNTY.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**\*Maximum Acres:** 137.00

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF ALKALI CREEK

**Source Type:** SURFACE WATER

SOURCE IS COMPOSED OF FIVE SPRINGS WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

ALSO KNOWN AS ALKALI SPRING

**\*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		SWSWSW	32	11S	5W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

WATER DIVERTED FROM ALKALI SPRING IS CONVEYED TO ALKALI CREEK WHICH IS USED AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

Period of Use: MAY 1 TO SEPTEMBER 15

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	10.00		NWNW	7	11S	5W	BEAVERHEAD
2	5.00		S2S2SE	1	11S	6W	BEAVERHEAD
3	12.00		S2SW	1	11S	6W	BEAVERHEAD
4	45.00		N2NE	12	11S	6W	BEAVERHEAD
5	65.00		N2NW	12	11S	6W	BEAVERHEAD
<b>Total:</b>	<b>137.00</b>						

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.

113271-00 113272-00 113273-00 113274-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/15/2012: PLACE OF USE, MAXIMUM ACRES.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

USDA AERIAL PHOTOGRAPH NO(S). 579-71 , DATED 09/11/1979 , APPEARS TO INDICATE 73 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-177 , DATED 08/14/1965 , APPEARS TO INDICATE 109 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 113275-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS  
PO BOX 200701  
HELENA, MT 59620 0701

**\*Priority Date:** DECEMBER 31, 1873

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.75 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 87.00

**\*Source Name:** BLACKTAIL DEER CREEK, EAST FORK

**Source Type:** SURFACE WATER

**\*Source Name:** BLACKTAIL DEER 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		SWNWSW	4	11S	6W	BEAVERHEAD

**\*Source Name:** BLACKTAIL DEER CREEK, EAST FORK

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**\*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>
2		SESWNE	5	11S	6W	BEAVERHEAD

\*Source Name: BLACKTAIL DEER CREEK  
Period of Diversion: MAY 1 TO SEPTEMBER 15  
Diversion Means: HEADGATE

Period of Use: MAY 1 TO SEPTEMBER 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	57.00		E2NE	5	11S	6W	BEAVERHEAD
2	20.00		NWNE	5	11S	6W	BEAVERHEAD
3	10.00		NWSE	5	11S	6W	BEAVERHEAD
<b>Total:</b>	87.00						

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/15/2012: SOURCE, POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 25.00 GPM PER ACRE.

USDA AERIAL PHOTOGRAPH NO(S). 579-60 , DATED 09/11/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-8FF-104 , DATED 08/30/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**



**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 113276-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** **WITHDRAWN**

**Owners:** MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS  
PO BOX 200701  
HELENA, MT 59620 0701

**Priority Date:**

**Enforceable Priority Date:**

**Type of Historical Right:**

**Purpose (use):** FISH AND WILDLIFE

**Flow Rate:**

**Volume:**

**Source Name:** ALKALI CREEK

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/12/2012.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 113685-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

JANICE ALLISON  
14214 GRAND MANOR LN  
HUMBLE, TX 77396 3065

JEFFREY HEPPEMANN  
14214 GRAND MANOR LN  
HUMBLE, TX 77396 3065

LINDA J LOENDORF  
PO BOX 460462  
POLARIS, MT 59746 0462

PAUL E TAYLOR  
PO BOX 219  
BIG ARM, MT 59910 0219

ROBERT S WALKER  
17821 SE 58TH PL  
BELLEVUE, WA 98006 5941

WALTER M LOENDORF  
PO BOX 460462  
POLARIS, MT 59746 0462

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** JUNE 27, 1902

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area: 5 - LOW**

**Maximum Acres:** 145.00

**\*Source Name:** DINGLEY 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		SESWNW	4	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 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	4.00		SENESE	5	5S	12W	BEAVERHEAD
2	6.00		NESESE	5	5S	12W	BEAVERHEAD
3	10.00		NWSESE	5	5S	12W	BEAVERHEAD
4	8.00		SESESE	5	5S	12W	BEAVERHEAD
5	10.00		SWSESE	5	5S	12W	BEAVERHEAD
6	3.00		SWSWSE	5	5S	12W	BEAVERHEAD
7	5.00		NENENE	8	5S	12W	BEAVERHEAD
8	10.00		NWNENE	8	5S	12W	BEAVERHEAD
9	9.00		SWNENE	8	5S	12W	BEAVERHEAD
10	10.00		NENWNE	8	5S	12W	BEAVERHEAD
11	10.00		NWNWNE	8	5S	12W	BEAVERHEAD
12	10.00		SEWNE	8	5S	12W	BEAVERHEAD
13	10.00		SWNWNE	8	5S	12W	BEAVERHEAD
14	2.00		NWSENE	8	5S	12W	BEAVERHEAD
15	10.00		NESWNE	8	5S	12W	BEAVERHEAD
16	10.00		NWSWNE	8	5S	12W	BEAVERHEAD
17	8.00		SESWNE	8	5S	12W	BEAVERHEAD
18	10.00		SWSWNE	8	5S	12W	BEAVERHEAD

**Total:** 145.00

**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.

113685-00 113686-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

USE OF THE NELSON NO. 5 DITCH TO CONVEY WATER TO THE PLACE OF USE MAY BE QUESTIONABLE.

THE CLAIMED MEANS OF DIVERSION MAY BE INCORRECT AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-221 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-4FF-83 , DATED 08/14/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

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**Water Right Number:** 41B 113686-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

JANICE ALLISON  
14214 GRAND MANOR LN  
HUMBLE, TX 77396 3065

JEFFREY HEPPEMANN  
14214 GRAND MANOR LN  
HUMBLE, TX 77396 3065

LINDA J LOENDORF  
PO BOX 460462  
POLARIS, MT 59746 0462

PAUL E TAYLOR  
PO BOX 219  
BIG ARM, MT 59910 0219

ROBERT S WALKER  
17821 SE 58TH PL  
BELLEVUE, WA 98006 5941

WALTER M LOENDORF  
PO BOX 460462  
POLARIS, MT 59746 0462

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** SEPTEMBER 19, 1900

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 394.94 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area: 5 - LOW**

**Maximum Acres:** 145.00

**\*Source Name:** DINGLEY 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		SESWNW	4	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 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	4.00		SENESE	5	5S	12W	BEAVERHEAD
2	6.00		NESESE	5	5S	12W	BEAVERHEAD
3	10.00		NWSESE	5	5S	12W	BEAVERHEAD
4	8.00		SESESE	5	5S	12W	BEAVERHEAD
5	10.00		SWSESE	5	5S	12W	BEAVERHEAD
6	3.00		SWSWSE	5	5S	12W	BEAVERHEAD
7	5.00		NENENE	8	5S	12W	BEAVERHEAD
8	10.00		NWNENE	8	5S	12W	BEAVERHEAD
9	9.00		SWNENE	8	5S	12W	BEAVERHEAD
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11	10.00		NWNWNE	8	5S	12W	BEAVERHEAD
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14	2.00		NWSENE	8	5S	12W	BEAVERHEAD
15	10.00		NESWNE	8	5S	12W	BEAVERHEAD
16	10.00		NWSWNE	8	5S	12W	BEAVERHEAD
17	8.00		SESWNE	8	5S	12W	BEAVERHEAD
18	10.00		SWSWNE	8	5S	12W	BEAVERHEAD

**Total:** 145.00

**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.

113685-00 113686-00

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

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USE OF THE NELSON NO. 5 DITCH TO CONVEY WATER TO THE PLACE OF USE MAY BE QUESTIONABLE.

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FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-221 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 113696-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

MONTY SNOWDEN  
1340 CATTLE DR  
DILLON, MT 59725 8200

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 15, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 112.20 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 10.00

**Source Name:** BEAVERHEAD RIVER

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	7	7S	8W	BEAVERHEAD

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: PORCH-ENNIS DITCH

Period of Use: APRIL 1 TO OCTOBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		NENWNE	5	7S	8W	BEAVERHEAD

Total: 10.00

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 65 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 15225-00, 41B 88081-00, 41B 88271-00, 41B 88279-00, 41B 88688-00, 41B 88779-00, 41B 88813-00, 41B 113696-00, 41B 127849-00, 41B 128107-00, 41B 132391-00, 41B 133627-00.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 113697-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MITCHELL, THOMAS & BEA FAMILY TRUST  
3000 BLACKTAIL RD  
DILLON, MT 59725 8389

**\*Priority Date:** DECEMBER 31, 1866

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 3.25 CFS

**\*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:** 241.00

**Source Name:** BLACKTAIL DEER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	7		8S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** JAKOVAK DITCH

**Period of Use:** APRIL 1 TO NOVEMBER 15

**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	37.50		W2SE	30	7S	8W	BEAVERHEAD
2	52.50		E2SW	30	7S	8W	BEAVERHEAD
3	70.00		W2NE	31	7S	8W	BEAVERHEAD
4	72.25		E2NW	31	7S	8W	BEAVERHEAD
5	8.75		E2W2NW	31	7S	8W	BEAVERHEAD
<b>Total:</b>	241.00						

**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.

113697-00 113698-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/22/1998: PLACE OF USE AND MAXIMUM ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 113698-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MITCHELL, THOMAS & BEA FAMILY TRUST  
3000 BLACKTAIL RD  
DILLON, MT 59725 8389

**\*Priority Date:** DECEMBER 31, 1878

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 2.75 CFS

**\*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:** 241.00

**Source Name:** BLACKTAIL DEER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	7		8S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** JAKOVAK DITCH

**Period of Use:** APRIL 1 TO NOVEMBER 15

**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	37.50		W2SE	30	7S	8W	BEAVERHEAD
2	52.50		E2SW	30	7S	8W	BEAVERHEAD
3	70.00		W2NE	31	7S	8W	BEAVERHEAD
4	72.25		E2SE	31	7S	9W	BEAVERHEAD
5	8.75		E2W2NW	31	7S	9W	BEAVERHEAD
<b>Total:</b>	241.00						

**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.

113697-00 113698-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/22/1998: PLACE OF USE AND MAXIMUM ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117617-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**\*Owners:**

DORINDA I BECKER  
PO BOX 460494  
POLARIS, MT 59746 0494

ELLEN P FOSTER  
1316 WRENFIELD WAY  
VILLANOVA, PA 19085 2067

JAMES L BECKER  
100 CLARK CREEK RD  
POLARIS, MT 59746

MARCHESSEAU RANCH  
1725 POLARIS RD  
DILLON, MT 59725 9605

TIMOTHY E FOSTER  
1316 WRENFIELD WAY  
VILLANOVA, PA 19085 2067

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** APRIL 15, 1920

**Type of Historical Right:** USE

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 4.32 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 114.00  
**Source Name:** GRASSHOPPER 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		SENENW	8	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** NELSON OUTLAW DITCH

**Period of Use:** APRIL 15 TO OCTOBER 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	6.00		NESESW	8	5S	12W	BEAVERHEAD
2	4.00		NWSESW	8	5S	12W	BEAVERHEAD
3	4.00		SESESW	8	5S	12W	BEAVERHEAD
4	6.00		SWSESW	8	5S	12W	BEAVERHEAD
5	8.00		NENENW	17	5S	12W	BEAVERHEAD
6	6.00		NWNENW	17	5S	12W	BEAVERHEAD
7	8.00		SENENW	17	5S	12W	BEAVERHEAD
8	5.00		SWNENW	17	5S	12W	BEAVERHEAD
9	10.00		NESESW	17	5S	12W	BEAVERHEAD
10	7.00		NWSESW	17	5S	12W	BEAVERHEAD
11	10.00		SESESW	17	5S	12W	BEAVERHEAD
12	8.00		SWSESW	17	5S	12W	BEAVERHEAD
13	10.00		NENENW	17	5S	12W	BEAVERHEAD
14	8.00		NWNENW	17	5S	12W	BEAVERHEAD
15	10.00		SESESW	17	5S	12W	BEAVERHEAD
16	4.00		SWSESW	17	5S	12W	BEAVERHEAD

**Total:** 114.00

**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.

117617-00 117619-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**



**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117618-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** APRIL 1, 1920

**Type of Historical Right:** USE

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**\*Flow Rate:** 21.59 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 570.00

**Source Name:** BEAVERHEAD RIVER

**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		NWSWNW	20	8S	9W	BEAVERHEAD

**Period of Diversion:** MARCH 20 TO NOVEMBER 10

**Diversion Means:** HEADGATE

**Ditch Name:** SMITH-REBICH DITCH

**Period of Use:** MARCH 20 TO NOVEMBER 10

**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	300.00		S2	4	8S	9W	BEAVERHEAD
2	270.00		S2	5	8S	9W	BEAVERHEAD
<b>Total:</b>	570.00						

**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.

117618-00 120899-00 120900-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/06/1982: PERIOD OF USE AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/2009: PERIOD OF DIVERSION, PERIOD OF USE.

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-20 , DATED 09/18/1979 , APPEARS TO INDICATE 521.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-99, CXM-3FF-73 , DATED 08/18/1965, 08/01/1965 , APPEARS TO INDICATE 515.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117619-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**\*Owners:** MARCHESSEAU RANCH  
1725 POLARIS RD  
DILLON, MT 59725 9605

**Priority Date:** OCTOBER 10, 1913

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 1.14 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE  
AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 30.00

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF GRASSHOPPER CREEK

**Source Type:** GROUNDWATER

ALSO KNOWN AS MARCHESSEAU SPRING

**\*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		NW	17	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** DEVELOPED SPRING

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1	30.00		NESW	17	5S	12W	BEAVERHEAD
<b>Total:</b>	30.00						

**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.

117617-00 117619-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL PERIOD OF USE FOR THE CLAIMED PURPOSE WHICH IS APRIL 25 TO OCTOBER 5.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117620-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**\*Owners:**

ELLEN P FOSTER  
1316 WRENFIELD WAY  
VILLANOVA, PA 19085 2067

MARCHESSEAU RANCH  
1725 POLARIS RD  
DILLON, MT 59725 9605

TIMOTHY E FOSTER  
1316 WRENFIELD WAY  
VILLANOVA, PA 19085 2067

**Priority Date:** JUNE 15, 1910

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 200.00

**Source Name:** WHITE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SW	9	5S 12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** HEADGATE

**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>
2		SWSWSW	9	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** HEADGATE

3		NWNWNW	16	5S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO NOVEMBER 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	160.00		E2E2	17	5S	12W	BEAVERHEAD
2	40.00		SWSE	17	5S	12W	BEAVERHEAD
<b>Total:</b>	200.00						

**Remarks:**

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 05/18/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-211 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-4FF-85 , DATED 08/14/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**



**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117621-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

ELLEN P FOSTER  
1316 WRENFIELD WAY  
VILLANOVA, PA 19085 2067

JAMES L BECKER  
100 CLARK CREEK RD  
POLARIS, MT 59746

KATIE ANN MILLER  
5235 MT HWY 91 N  
DILLON, MT 59725 8306

ROSS M MILLER  
5235 MT HWY 91 N  
DILLON, MT 59725 8306

TIMOTHY E FOSTER  
1316 WRENFIELD WAY  
VILLANOVA, PA 19085 2067

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** JULY 6, 1903

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 1.06 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

Maximum Acres: 28.00  
Source Name: CLARK 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		SESWNE	8	5S	12W	BEAVERHEAD

Period of Diversion: APRIL 15 TO NOVEMBER 1

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO NOVEMBER 1

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	13.00		E2SWSE	8	5S	12W	BEAVERHEAD
2	6.00		W2SWSE	8	5S	12W	BEAVERHEAD
3	9.00		E2NWNE	17	5S	12W	BEAVERHEAD
<b>Total:</b>	<b>28.00</b>						

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.

117621-00 120903-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2012: PLACE OF USE, MAXIMUM ACRES.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON CLARK CREEK (TRIBUTARY OF GRASSHOPPER CREEK) WITH A PRIORITY DATE PREDATING CASE NO. 1194 BEAVERHEAD COUNTY.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 127 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117622-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** DUWANE SAND  
398 BAYERS LN  
TWIN BRIDGES, MT 59754 9602

**\*Priority Date:** MAY 3, 1913

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 82.00

**\*Source Name:** COTTONWOOD 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	NE	1	7S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** COTTONWOOD DITCH

2		NW	SW	NW	12	7S	12W	BEAVERHEAD
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**Period of Diversion:** APRIL 15 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 15 TO NOVEMBER 1

**\*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	75.00		S2	1	7S	12W	BEAVERHEAD
2	7.00		SWNW	12	7S	12W	BEAVERHEAD
<b>Total:</b>	82.00						

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-160 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-5FF-148 , DATED 08/17/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED RIGHT ON COTTONWOOD CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 1194 BEAVERHEAD COUNTY.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117623-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** GERI GODECKE  
2312 MT HIGHWAY 91 S  
DILLON, MT 59725 7386

PAUL GODECKE  
2312 MT HIGHWAY 91 S  
DILLON, MT 59725 7386

**Priority Date:** JUNE 15, 1973

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 2.23 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 65.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**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		SWSE	35	7S	9W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 1

**Diversion Means:** WELL

**Period of Use:** APRIL 15 TO OCTOBER 1

**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	10.00		SWNE	35	7S	9W	BEAVERHEAD
2	20.00		NENW	35	7S	9W	BEAVERHEAD
3	35.00		SENE	35	7S	9W	BEAVERHEAD
<b>Total:</b>	65.00						

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117624-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HEADWATERS RANCH LP  
PO BOX 408  
DILLON, MT 59725 0408

**Priority Date:** JANUARY 19, 1924

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF HOFFMAN GULCH

**Source Type:** SURFACE WATER

ALSO KNOWN AS BENSON SPRING NO. 100.

**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		SWSWNE	9	8S	7W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 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			SWSWNE	9	8S	7W	BEAVERHEAD

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**Remarks:**

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 9/10/2009.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117625-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HEADWATERS RANCH LP  
PO BOX 408  
DILLON, MT 59725 0408

**Priority Date:** JANUARY 19, 1924

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**Flow Rate:** 10.00 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF HOFFMAN GULCH

**Source Type:** GROUNDWATER

ALSO KNOWN AS BENSON SPRING NO. 101.

**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		SESWNE	9	8S	7W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DEVELOPED SPRING

PIPELINE IS USED TO CONVEY WATER.

**Period of Use:** JANUARY 1 TO DECEMBER 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			SESWNE	9	8S	7W	BEAVERHEAD

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**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 9/10/2009: FLOW RATE, PERIOD OF USE, POINT OF DIVERSION, PLACE OF USE, MEANS OF DIVERSION.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117626-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HEADWATERS RANCH LP  
PO BOX 408  
DILLON, MT 59725 0408

**Priority Date:** APRIL 14, 1900

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF HOFFMAN GULCH

**Source Type:** SURFACE WATER

ALSO KNOWN AS BENSON SPRING NO. 102.

**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		SESEW	9	8S	7W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 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			SESEW	9	8S	7W	BEAVERHEAD

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**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 9/16/2009: PERIOD OF USE, PRIORITY DATE.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117627-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HEADWATERS RANCH LP  
PO BOX 408  
DILLON, MT 59725 0408

**Priority Date:** APRIL 14, 1900

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF HOFFMAN GULCH

**Source Type:** SURFACE WATER

ALSO KNOWN AS BENSON SPRING NO. 103.

**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		SWSWSE	9	8S	7W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 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			SWSWSE	9	8S	7W	BEAVERHEAD

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**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 9/16/2009: PERIOD OF USE, PRIORITY DATE.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117628-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

GERI GODECKE  
2312 MT HIGHWAY 91 S  
DILLON, MT 59725 7386

MARY F MORGAN-LUEBBEN  
11251 KELLY LN  
LOS ALAMITOS, CA 90720 3938

PAUL GODECKE  
2312 MT HIGHWAY 91 S  
DILLON, MT 59725 7386

R SCOTT MORGAN  
11251 KELLY LN  
LOS ALAMITOS, CA 90720 3938

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** JANUARY 1, 1889

**Type of Historical Right:** USE

**Purpose(usage):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** POINDEXTER SLOUGH

**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		SE	SWNW	35	7S	9W BEAVERHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: DILLON CANAL

Period of Use: JANUARY 1 TO DECEMBER 31

**\*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			N2	35	7S	9W	BEAVERHEAD

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON POINDEXTER SLOUGH WITH A PRIORITY DATE PREDATING CASE NO. 1053 BEAVERHEAD COUNTY.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117629-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** GERI GODECKE  
2312 MT HIGHWAY 91 S  
DILLON, MT 59725 7386

PAUL GODECKE  
2312 MT HIGHWAY 91 S  
DILLON, MT 59725 7386

**Priority Date:** SEPTEMBER 1, 1950

**Type of Historical Right:** FILED

**Purpose(use):** DOMESTIC

**Flow Rate:** 15.00 GPM

**Volume:** 2.00 AC-FT

**Households:** 1

**Maximum Acres:** 0.50

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER  
ALSO KNOWN AS NEW HOUSE WELL

**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		NESENW	35	7S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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	0.50		NESENW	35	7S	9W	BEAVERHEAD

**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>
Total:	0.50						

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME HISTORICAL RIGHT TYPE.

117629-00 73206-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/11/1990: POINT OF DIVERSION, PLACE OF USE, FLOW RATE, VOLUME.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117630-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** GERI GODECKE  
2312 MT HIGHWAY 91 S  
DILLON, MT 59725 7386

PAUL GODECKE  
2312 MT HIGHWAY 91 S  
DILLON, MT 59725 7386

**Priority Date:** JANUARY 1, 1889

**Type of Historical Right:** FILED

**Purpose(use):** DOMESTIC

**Flow Rate:** 15.00 GPM

**Volume:** 5.00 AC-FT

**Households:** 1

**Maximum Acres:** 5.00

**\*Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER  
ALSO KNOWN AS OLD HOUSE WELL

**\*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		W2SWNE	35	7S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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	5.00		W2SWNE	35	7S	9W	BEAVERHEAD

**\*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>
Total:	5.00						

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/18/1991: FLOW RATE, VOLUME.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117642-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** WINDMILL LIVESTOCK  
2020 SAWMILL RD  
DILLON, MT 59725 8363

**Priority Date:** FEBRUARY 16, 1918

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** LONG GULCH

**Source Type:** SURFACE WATER

ALSO KNOWN AS WARM SPRINGS CREEK

**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		SWNESW	30	8S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DITCH

**Period of Use:** JANUARY 1 TO DECEMBER 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			NENESE	25	8S	10W	BEAVERHEAD

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**Remarks:**

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 03/05/1991.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117643-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** CLARK CANYON RANCH LLC  
PO BOX 1559  
SIKESTON, MO 63801 1559

**Priority Date:** OCTOBER 20, 1897

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 4.17 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*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:** 110.00

**Source Name:** GRASSHOPPER 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	W	26	8S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** GRASSHOPPER DITCH

**Period of Use:** APRIL 1 TO NOVEMBER 30

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1	26.00		SW	25	8S	10W	BEAVERHEAD
2	48.00		SE	26	8S	10W	BEAVERHEAD
3	36.00		NWNW	36	8S	10W	BEAVERHEAD
<b>Total:</b>	110.00						

**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.

117643-00 117644-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 579-152 , DATED 09/17/1979 , APPEARS TO INDICATE 50.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-7FF-160 , DATED 08/17/1965 , APPEARS TO INDICATE 50.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

PART OF THE CLAIMED PLACE OF USE MAY BE QUESTIONABLE. IT DOES NOT APPEAR THE PLACE OF USE ON THE EAST BANK OF THE BEAVERHEAD RIVER CAN BE IRRIGATED FROM THE CLAIMED SOURCE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117644-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** CLARK CANYON RANCH LLC  
PO BOX 1559  
SIKESTON, MO 63801 1559

**Priority Date:** APRIL 29, 1911

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.00 CFS

**\*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:** 110.00

**Source Name:** GRASSHOPPER 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		SWSE	26	8S	10W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** GRASSHOPPER DITCH

**Period of Use:** APRIL 1 TO NOVEMBER 30

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1	26.00		SW	25	8S	10W	BEAVERHEAD
2	48.00		SE	26	8S	10W	BEAVERHEAD
3	36.00		NWNW	36	8S	10W	BEAVERHEAD
<b>Total:</b>	110.00						

**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.

117643-00 117644-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 579-152 , DATED 09/17/1979 , APPEARS TO INDICATE 50.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-7FF-160 , DATED 08/17/1965 , APPEARS TO INDICATE 50.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

PART OF THE CLAIMED PLACE OF USE MAY BE QUESTIONABLE. IT DOES NOT APPEAR THE PLACE OF USE ON THE EAST BANK OF THE BEAVERHEAD RIVER CAN BE IRRIGATED FROM THE CLAIMED SOURCE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117645-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** APRIL 15, 1882

**Type of Historical Right:** USE

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 483.00

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF PRICE CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS WATERCRESS SPRING

**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		SE	SW	31	10S	6W BEAVERHEAD

**Period of Diversion:** APRIL 15 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 15 TO NOVEMBER 15

**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	2.00		NE	29	10S	6W	BEAVERHEAD
2	50.00		NW	29	10S	6W	BEAVERHEAD
3	50.00		NW	30	10S	6W	BEAVERHEAD
4	136.00		SW	30	10S	6W	BEAVERHEAD
5	70.00		NE	31	10S	6W	BEAVERHEAD
6	90.00		NW	31	10S	6W	BEAVERHEAD
7	20.00		SE	31	10S	6W	BEAVERHEAD
8	50.00		SW	31	10S	6W	BEAVERHEAD
9	15.00		NW	32	10S	6W	BEAVERHEAD
<b>Total:</b>	<b>483.00</b>						

**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.

117645-00 117646-00 117647-00 117648-00 117649-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/29/2009: MAXIMUM ACRE, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**



**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117646-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** APRIL 15, 1886

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.20 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 234.00

**Source Name:** BLACKTAIL DEER 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	5	11S	6W	BEAVERHEAD

**Period of Diversion:** APRIL 25 TO OCTOBER 5

**Diversion Means:** HEADGATE

**Ditch Name:** TACHIO DITCH

**Period of Use:** APRIL 25 TO OCTOBER 5

**Place of Use:**

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00	NWSWSE	29	10S	6W	BEAVERHEAD
2	6.00	SWSWSE	29	10S	6W	BEAVERHEAD
3	2.00	SENESE	29	10S	6W	BEAVERHEAD
4	8.00	SWNESE	29	10S	6W	BEAVERHEAD
5	30.00	SWSW	29	10S	6W	BEAVERHEAD
6	29.00	NWNE	32	10S	6W	BEAVERHEAD
7	3.00	NWSENE	32	10S	6W	BEAVERHEAD
8	8.00	SWSENE	32	10S	6W	BEAVERHEAD
9	35.00	SWNE	32	10S	6W	BEAVERHEAD
10	40.00	NENW	32	10S	6W	BEAVERHEAD
11	1.00	NENWNW	32	10S	6W	BEAVERHEAD
12	2.00	SENWNW	32	10S	6W	BEAVERHEAD
13	7.00	NESENE	32	10S	6W	BEAVERHEAD
14	10.00	NWNESE	32	10S	6W	BEAVERHEAD
15	1.00	SENESE	32	10S	6W	BEAVERHEAD
16	10.00	SWNESE	32	10S	6W	BEAVERHEAD
17	8.00	NENWSE	32	10S	6W	BEAVERHEAD
18	2.00	SENWSE	32	10S	6W	BEAVERHEAD
19	30.00	SESE	32	10S	6W	BEAVERHEAD
<b>Total:</b>	<b>234.00</b>					

**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.

117645-00 117646-00 117647-00 117648-00 117649-00

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 11/07/2008.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117647-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** JULY 1, 1901

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 234.00

**Source Name:** BLACKTAIL DEER 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	5	11S	6W	BEAVERHEAD

**\*Period of Diversion:** APRIL 25 TO OCTOBER 5

**Diversion Means:** HEADGATE

**Ditch Name:** TACHIO DITCH

**Period of Use:** APRIL 25 TO OCTOBER 5

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00	NWSWSE	29	10S	6W	BEAVERHEAD
2	6.00	SWSWSE	29	10S	6W	BEAVERHEAD
3	2.00	SENESE	29	10S	6W	BEAVERHEAD
4	8.00	SWNESE	29	10S	6W	BEAVERHEAD
5	30.00	SWSW	29	10S	6W	BEAVERHEAD
6	29.00	NWNE	32	10S	6W	BEAVERHEAD
7	3.00	NWSENE	32	10S	6W	BEAVERHEAD
8	8.00	SWSENE	32	10S	6W	BEAVERHEAD
9	35.00	SWNE	32	10S	6W	BEAVERHEAD
10	40.00	NENW	32	10S	6W	BEAVERHEAD
11	1.00	NENWNW	32	10S	6W	BEAVERHEAD
12	2.00	SENWNW	32	10S	6W	BEAVERHEAD
13	7.00	NESENE	32	10S	6W	BEAVERHEAD
14	10.00	NWNESE	32	10S	6W	BEAVERHEAD
15	1.00	SENESE	32	10S	6W	BEAVERHEAD
16	10.00	SWNESE	32	10S	6W	BEAVERHEAD
17	8.00	NENWSE	32	10S	6W	BEAVERHEAD
18	2.00	SENWSE	32	10S	6W	BEAVERHEAD
19	30.00	SESE	32	10S	6W	BEAVERHEAD
<b>Total:</b>	<b>234.00</b>					

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.

117645-00 117646-00 117647-00 117648-00 117649-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/16/2009: PRIORITY DATE, TYPE OF RIGHT, PERIOD OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117648-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** APRIL 15, 1886

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.75 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 234.00

**Source Name:** BLACKTAIL DEER 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	5	11S	6W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** TACHIO DITCH

**Period of Use:** APRIL 15 TO NOVEMBER 15



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	2.00		NWSWSE	29	10S	6W	BEAVERHEAD
2	6.00		SWSWSE	29	10S	6W	BEAVERHEAD
3	2.00		SENESE	29	10S	6W	BEAVERHEAD
4	8.00		SWNESE	29	10S	6W	BEAVERHEAD
5	30.00		SWSW	29	10S	6W	BEAVERHEAD
6	29.00		NWNE	32	10S	6W	BEAVERHEAD
7	3.00		NWSENE	32	10S	6W	BEAVERHEAD
8	8.00		SWSENE	32	10S	6W	BEAVERHEAD
9	35.00		SWNE	32	10S	6W	BEAVERHEAD
10	40.00		NENW	32	10S	6W	BEAVERHEAD
11	1.00		NENWNW	32	10S	6W	BEAVERHEAD
12	2.00		SENWNW	32	10S	6W	BEAVERHEAD
13	7.00		NESENE	32	10S	6W	BEAVERHEAD
14	10.00		NWNESE	32	10S	6W	BEAVERHEAD
15	1.00		SENESE	32	10S	6W	BEAVERHEAD
16	10.00		SWNESE	32	10S	6W	BEAVERHEAD
17	8.00		NENWSE	32	10S	6W	BEAVERHEAD
18	2.00		SENWSE	32	10S	6W	BEAVERHEAD
19	30.00		SESE	32	10S	6W	BEAVERHEAD
<b>Total:</b>	<b>234.00</b>						

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.

117645-00 117646-00 117647-00 117648-00 117649-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117649-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** APRIL 15, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 483.00

**\*Source Name:** PRICE 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		NESWSW	31	10S	6W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 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	2.00		SE	29	10S	6W	BEAVERHEAD
2	50.00		SW	29	10S	6W	BEAVERHEAD
3	50.00		NW	30	10S	6W	BEAVERHEAD

**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>
4	136.00		SW	30	10S	6W	BEAVERHEAD
5	70.00		NE	31	10S	6W	BEAVERHEAD
6	90.00		NW	31	10S	6W	BEAVERHEAD
7	20.00		SE	31	10S	6W	BEAVERHEAD
8	50.00		SW	31	10S	6W	BEAVERHEAD
9	15.00		NW	32	10S	6W	BEAVERHEAD
<b>Total:</b>	<b>483.00</b>						

**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.

117645-00 117646-00 117647-00 117648-00 117649-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/29/2009: MAXIMUM ACRES, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117651-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JULIAN DAVIS  
PO BOX 511  
MARSING, ID 83639

**\*Priority Date:** JANUARY 1, 1910

**Type of Historical Right:** USE

**Purpose(use):** DOMESTIC

**\*Flow Rate:** 38.00 GPM

**Volume:** 61.64 AC-FT

**Households:** 1

**Source Name:** SPRING, UNNAMED TRIBUTARY OF JAKE CANYON CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS SILVER QUEEN SPRINGS

**\*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		NWNESW	17	10S	7W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** UNDEVELOPED SPRING

**Period of Use:** JANUARY 1 TO DECEMBER 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			SWSNW	17	10S	7W	BEAVERHEAD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

117651-00 117652-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME APPEARS TO EXCEED THE REASONABLE AND CUSTOMARY VOLUME FOR THIS PURPOSE. AVAILABLE DATA SUPPORT A VOLUME OF 1.5 ACRE-FEET PER YEAR.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 117652-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**\*Owners:** JULIAN DAVIS  
PO BOX 511  
MARSING, ID 83639

**Priority Date:** JANUARY 1, 1910

**Type of Historical Right:** USE

**Purpose(use):** MINING

**Flow Rate:** 38.00 GPM

**\*Volume:** THIS RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF JAKE CANYON CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS SILVER QUEEN SPRINGS

**\*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		NWNESW	17	10S	7W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** UNDEVELOPED SPRING

**Period of Use:** JANUARY 1 TO DECEMBER 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			SWSENW	17	10S	7W	BEAVERHEAD
2			NWNESW	17	10S	7W	BEAVERHEAD

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**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

117651-00 117652-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**Water Right Number:** 41B 118185-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

CAROL ENGLISH  
325 S. ARIZONA  
DILLON, MT 59725

CHRISTINA J HILL  
325 S. ARIZONA  
DILLON, MT 59725

JOHN B ENGLISH  
1001 GINGER AVENUE  
BILLINGS, MT 59105

MICHAEL R ENGLISH  
4300 OLD STAGE RD  
DILLON, MT 59725

MIRIAM E WALTERS  
30 MEDICINE RIVER RD  
VAUGHN, MT 59487

STEPHEN AK ENGLISH  
PO BOX 7993 PARK DR  
MISSOULA, MT 59807 7993

SUSAN C ENGLISH  
1012 GINGER AVENUE  
BILLINGS, MT 59105

**Priority Date:** JANUARY 1, 1971

**Type of Historical Right:** USE

**\*Purpose(use):** MULTIPLE DOMESTIC

**Flow Rate:** 25.00 GPM

**Volume:** 1.50 AC-FT

**Households:** 2

Maximum Acres: 5.00  
\*Source Name: WHITE 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>Sec</u>	<u>Tw</u> <u>p</u>	<u>Rge</u>	<u>County</u>
1		SESESW	9	5S	12W	BEAVERHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Tw</u> <u>p</u>	<u>Rge</u>	<u>County</u>
1	5.00		SESESW	9	5S	12W	BEAVERHEAD
<b>Total:</b>	5.00						

**Remarks:**

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**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119089-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: AUGUST 26, 1891**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER**

**Flow Rate: 6.25 CFS**

**Volume: 4,562.50 AC-FT**

**Climatic Area: 4 - MODERATELY LOW**

**Maximum Acres: 7,696.55**

**Source Name: BOND 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		NWNENW	1	5S	11W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> DAM						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
3		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
4		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
5		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
6		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
7		NWNENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
8		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
10		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
11		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
12		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
13		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
14		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
15		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						

**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>
16		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
17		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
18		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
20		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
21		NWSENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						

WATER DIVERTED FROM DEERHEAD LAKE IS CONVEYED VIA BOND CREEK & THE BOND-NELSON DITCH TO BIRCH CREEK WHICH IS USED AS A NATURAL CARRIER TO A MULTITUDE OF SECONDARY DIVERSIONS.

**Reservoir:** ONSTREAM      **Reservoir Name:** DEERHEAD LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	1	5S	11W	BEAVERHEAD
<b>Diversion to Reservoir:</b> DIVERSION # 1					
<b>Dam Height:</b> 15.00 FEET					
<b>Capacity:</b> 131.00 ACRE-FEET					

**Period of Use:** JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
14	22.04		SESW	1	5S	9W	BEAVERHEAD	
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD	
16	131.52		NE	2	5S	9W	BEAVERHEAD	
17	30.76		NENW	2	5S	9W	BEAVERHEAD	
18	26.17		SESW	2	5S	9W	BEAVERHEAD	
19	34.89		SWNW	2	5S	9W	BEAVERHEAD	
20	136.99		SE	2	5S	9W	BEAVERHEAD	
21	149.90		SW	2	5S	9W	BEAVERHEAD	
22	22.50		E2SE	3	5S	9W	BEAVERHEAD	
23	26.00		SESW	3	5S	9W	BEAVERHEAD	
24	25.00		SWSW	3	5S	9W	BEAVERHEAD	
25	76.00		NE	9	5S	9W	BEAVERHEAD	
26	4.00		SWNW	9	5S	9W	BEAVERHEAD	
27	110.00		SE	9	5S	9W	BEAVERHEAD	
28	33.98		NENE	10	5S	9W	BEAVERHEAD	
29	16.07		NWNE	10	5S	9W	BEAVERHEAD	
30	13.77		SENE	10	5S	9W	BEAVERHEAD	
31	40.00		SWNE	10	5S	9W	BEAVERHEAD	
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD	
33	30.00		NWNW	10	5S	9W	BEAVERHEAD	
34	28.20		SESW	10	5S	9W	BEAVERHEAD	
35	30.00		SWNW	10	5S	9W	BEAVERHEAD	
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD	
37	79.09		W2SE	10	5S	9W	BEAVERHEAD	
38	26.63		NESW	10	5S	9W	BEAVERHEAD	
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD	
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD	
41	30.00		NWSW	10	5S	9W	BEAVERHEAD	
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD	
43	30.00		SWSW	10	5S	9W	BEAVERHEAD	
44	102.63		NE	11	5S	9W	BEAVERHEAD	
45	153.78		NW	11	5S	9W	BEAVERHEAD	
46	45.06		NESE	11	5S	9W	BEAVERHEAD	
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD	
48	5.50		SESWSE	11	5S	9W	BEAVERHEAD	
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD	
50	46.22		SESE	11	5S	9W	BEAVERHEAD	
51	57.97		SWSE	11	5S	9W	BEAVERHEAD	
52	64.73		E2SW	11	5S	9W	BEAVERHEAD	
53	13.31		NWSW	11	5S	9W	BEAVERHEAD	
54	84.95		NW	12	5S	9W	BEAVERHEAD	
55	65.72		SW	12	5S	9W	BEAVERHEAD	
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD	

**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>
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
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75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/02/1996: PRIORITY DATE, FLOW RATE, SOURCE, VOLUME.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979 , APPEARS TO INDICATE 6532.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965 AND 08/01/1965 , APPEARS TO INDICATE 5887.17 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE POINT OF DIVERSION IS IN QUESTION. THIS RIGHT IS FOR WATER CONVEYED VIA BOND CREEK & THE BOND-NELSON DITCH. THE OUTLET OF DEERHEAD LAKE IS ESTIMATED TO BE IN TWP 05S RGE 11W SEC 01 NWNENW, BEAVERHEAD COUNTY.

ALL DIVERSIONS LISTED APPEAR TO BE SECONDARY DIVERSIONS ON BIRCH CREEK. POINTS OF DIVERSION NO. 2, NO. 3, NO. 12, NO. 14, NO. 16, AND NO. 19 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 4536.88 ACRE-FEET PER YEAR.



**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119090-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: JUNE 30, 1894**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: FLOOD**

**Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

**Volume: 480.00 AC-FT**

**Climatic Area: 4 - MODERATELY LOW**

**Maximum Acres: 7,696.55**

**Source Name: BIRCH 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		SWNENW	4	5S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM BOOT LAKE TO SECONDARY POINTS OF DIVERSIONS LOCATED IN:  
 NENWSE 36 04S 09W, NENWSE 36 04S 09W, NWSESW 36 04S 09W, SESWSW 36 04S 09W, SWSWSW 36 04S 09W, NWNENE 02 05S 09W, NESWNE 02 05S 09W, SESESE 03 05S 09W, SESESE 03 05S 09W, SWNESW 10 05S 09W, NESWNE 16 05S 09W, SESWNW 16 05S 09W, SWNESW 16 05S 09W, SENWSW 16 05S 09W, NWNENE 17 05S 09W, NWSESW 19 05S 09W, NENWNE 20 05S 09W, NENENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

**Reservoir:** ONSTREAM **Reservoir Name:** BOOT LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNENW	4	5S	11W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 27.00 FEET

**Surface Area:** 59.00 ACRES

**Capacity:** 1,150.00 ACRE-FEET

RESERVOIR DATA IS FROM THE FEDERAL DAM INVENTORY REPORT.

**Period of Use:** JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
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8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
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11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
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19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD

**Place of Use:**

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
21	149.90	SW	2	5S	9W	BEAVERHEAD
22	22.50	E2SE	3	5S	9W	BEAVERHEAD
23	26.00	SESW	3	5S	9W	BEAVERHEAD
24	25.00	SWSW	3	5S	9W	BEAVERHEAD
25	76.00	NE	9	5S	9W	BEAVERHEAD
26	4.00	SWNW	9	5S	9W	BEAVERHEAD
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31	40.00	SWNE	10	5S	9W	BEAVERHEAD
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33	30.00	NWNW	10	5S	9W	BEAVERHEAD
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53	13.31	NWSW	11	5S	9W	BEAVERHEAD
54	84.95	NW	12	5S	9W	BEAVERHEAD
55	65.72	SW	12	5S	9W	BEAVERHEAD
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62	122.00	SE	17	5S	9W	BEAVERHEAD
63	76.00	N2NE	20	5S	9W	BEAVERHEAD

**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>
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67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
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89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE TYPE OF HISTORICAL RIGHT WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979 AND 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965 AND 08/01/1965 , APPEARS TO INDICATE 5887.17 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BIRCH CREEK WITH A PRIORITY DATE PREDATING CASE NO. 874 BEAVERHEAD COUNTY.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119094-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: JULY 19, 1894**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

**Volume: 70.80 AC-FT**

**Climatic Area: 4 - MODERATELY LOW**

**Maximum Acres: 7,696.55**

**Source Name: BIRCH 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		SESESW	5	5S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM MAY LAKE TO SECONDARY POINTS OF DIVERSIONS LOCATED IN:  
 NENWSE 36 04S 09W, NENWSE 36 04S 09W, NWSESW 36 04S 09W, SESWSW 36 04S 09W, SWSWSW 36 04S 09W, NWNENE 02 05S 09W, NESWNE 02 05S 09W, SESESE 03 05S 09W, SESESE 03 05S 09W, SWNESW 10 05S 09W, NESWNE 16 05S 09W, SESWNW 16 05S 09W, SWNESW 16 05S 09W, SENWSW 16 05S 09W, NWNENE 17 05S 09W, NWSESW 19 05S 09W, NENWNE 20 05S 09W, NENENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

**Reservoir:** ONSTREAM **Reservoir Name:** MAY LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESESW	5	5S	11W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 20.00 FEET

**Surface Area:** 8.85 ACRES

**Capacity:** 70.80 ACRE-FEET

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.

**Period of Use:** JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SESW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD

**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>
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SEWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD

**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>
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
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96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/14/2004: POINT OF DIVERSION, TYPE OF HISTORICAL RIGHT.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40.00 ACRE DESCRIPTION AND EACH EXCEEDED 40.00 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979 AND 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965 AND 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BIRCH CREEK WITH A PRIORITY DATE PREDATING CASE NO. 0874 BEAVERHEAD COUNTY.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119095-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: JULY 25, 1894**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

**Volume: 36.24 AC-FT**

**Climatic Area: 4 - MODERATELY LOW**

**Maximum Acres: 7,696.55**

**Source Name: BIRCH 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		SE	6	5S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM CHAIN LAKE TO SECONDARY POINTS OF DIVERSIONS LOCATED IN:  
 NENENW 20 05S 09W, NWSENW 20 05S 09W, NWSESW 36 04S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 02 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESESE 03 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESWNW 16 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 17 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NENENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

**Reservoir:** ONSTREAM **Reservoir Name:** CHAIN LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SE	6	5S	11W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 30.00 FEET

**Surface Area:** 3.02 ACRES

**Capacity:** 36.24 ACRE-FEET

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.

**Period of Use:** JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SE	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
23	26.00		SESW	3	5S	9W	BEAVERHEAD	
24	25.00		SWSW	3	5S	9W	BEAVERHEAD	
25	76.00		NE	9	5S	9W	BEAVERHEAD	
26	4.00		SWNW	9	5S	9W	BEAVERHEAD	
27	110.00		SE	9	5S	9W	BEAVERHEAD	
28	33.98		NENE	10	5S	9W	BEAVERHEAD	
29	16.07		NWNE	10	5S	9W	BEAVERHEAD	
30	13.77		SENE	10	5S	9W	BEAVERHEAD	
31	40.00		SWNE	10	5S	9W	BEAVERHEAD	
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD	
33	30.00		NWNW	10	5S	9W	BEAVERHEAD	
34	28.20		SENW	10	5S	9W	BEAVERHEAD	
35	30.00		SWNW	10	5S	9W	BEAVERHEAD	
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD	
37	79.09		W2SE	10	5S	9W	BEAVERHEAD	
38	26.63		NESW	10	5S	9W	BEAVERHEAD	
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD	
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD	
41	30.00		NWSW	10	5S	9W	BEAVERHEAD	
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD	
43	30.00		SWSW	10	5S	9W	BEAVERHEAD	
44	102.63		NE	11	5S	9W	BEAVERHEAD	
45	153.78		NW	11	5S	9W	BEAVERHEAD	
46	45.06		NESE	11	5S	9W	BEAVERHEAD	
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD	
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD	
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD	
50	46.22		SESE	11	5S	9W	BEAVERHEAD	
51	57.97		SWSE	11	5S	9W	BEAVERHEAD	
52	64.73		E2SW	11	5S	9W	BEAVERHEAD	
53	13.31		NWSW	11	5S	9W	BEAVERHEAD	
54	84.95		NW	12	5S	9W	BEAVERHEAD	
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62	122.00		SE	17	5S	9W	BEAVERHEAD	
63	76.00		N2NE	20	5S	9W	BEAVERHEAD	
64	120.00		E2	21	5S	9W	BEAVERHEAD	
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66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
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76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
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81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
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83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
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88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
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95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/14/2004: POINT OF DIVERSION, TYPE OF HISTORICAL RIGHT, FLOW RATE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40.00 ACRE DESCRIPTION AND EACH EXCEEDED 40.00 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242, , DATED 09/18/1979, 09/17/1979, , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/1/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BIRCH CREEK WITH A PRIORITY DATE PREDATING CASE NO. 0874 BEAVERHEAD COUNTY.

THE SOURCE NAME IS IN QUESTION. ELKHORN HOT SPRINGS USGS QUAD LABELS THIS LAKE AS CHAN LAKE. CHAIN LAKE WAS CLAIMED.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119098-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: JUNE 30, 1894**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

**Volume: 297.00 AC-FT**

**Climatic Area: 4 - MODERATELY LOW**

**Maximum Acres: 7,696.55**

**Source Name: BIRCH 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		SWNWNW	8	5S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM TUB LAKE TO SECONDARY POINTS OF DIVERSIONS LOCATED IN:  
 NENENW 20 05S 09W, NWSENW 20 05S 09W, NWSESW 36 04S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 02 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESESE 03 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESWNW 16 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 17 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NENENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

**Reservoir:** ONSTREAM      **Reservoir Name:** TUB LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NW	8	5S	11W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 30.00 FEET

**Surface Area:** 25.00 ACRES

**Capacity:** 297.00 ACRE-FEET

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.  
 SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**Period of Use:** JANUARY 1 TO DECEMBER 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>
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<b>Total:</b>	<b>8,671.96</b>						

**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.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/14/2004: POINT OF DIVERSION, TYPE OF HISTORICAL RIGHT, FLOW RATE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40.00 ACRE DESCRIPTION AND EACH EXCEEDED 40.00 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965, , APPEARS TO INDICATE 5887.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BIRCH CREEK WITH A PRIORITY DATE PREDATING CASE NO. 0874 BEAVERHEAD COUNTY.

THE FEDERAL DAM INVENTORY REPORT INDICATES THE TUB LAKE DAM WAS CONSTRUCTED IN 1904.

THE RESERVOIR DATA IS IN QUESTION. FEDERAL DAM INVENTORY INFORMATION (1981) SHOWS THE SURFACE AREA OF 15 ACRES, A DAM HEIGHT OF 11.5 FEET, AND A TOTAL STORAGE OF 208 ACRE-FEET.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**



**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119100-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: JUNE 30, 1894**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

**Volume: 1,716.40 AC-FT**

**Climatic Area: 4 - MODERATELY LOW**

**Maximum Acres: 7,696.55**

**Source Name: BIRCH 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		E2E2SW	5	5S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM PEAR LAKE TO SECONDARY DIVERSIONS LOCATED IN: NENENW 20 05S 09W, NWSSENW 20 05S 09W, NWSESW 36 04S 09W, NENENW 20 05S 09W, NWSSENW 20 05S 09W, NWNENE 02 05S 09W, NENENW 20 05S 09W, NWSSENW 20 05S 09W, SESESE 03 05S 09W, NENENW 20 05S 09W, NWSSENW 20 05S 09W, SESWNW 16 05S 09W, NENENW 20 05S 09W, NWSSENW 20 05S 09W, NWNESE 17 05S 09W, NENENW 20 05S 09W, NWSSENW 20 05S 09W, NENENW 20 05S 09W, NENENW 20 05S 09W, NWSSENW 20 05S 09W.

**Reservoir:** ONSTREAM **Reservoir Name:** PEAR LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	E2E2SW	5	5S	11W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 70.00 FEET

**Surface Area:** 61.30 ACRES

**Capacity:** 1,716.40 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**Period of Use:** JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD

**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>
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD

**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>
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119102-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: JULY 29, 1894**

**Type of Historical Right: FILED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

**Volume: 603.80 AC-FT**

**Climatic Area: 4 - MODERATELY LOW**

**Maximum Acres: 7,696.55**

**Source Name: BIRCH 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		E2NENE	6	5S	11W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM ANCHOR LAKE TO SECONDARY DIVERSIONS LOCATED IN: NENENW 20 05S 09W, NWSENW 20 05S 09W, NWSESW 36 04S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 02 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESESE 03 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESWNW 16 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 17 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NENENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

**Reservoir:** ONSTREAM **Reservoir Name:** ANCHOR LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	E2NENE	6	5S	11W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 1

**Surface Area:** 50.32 ACRES

**Capacity:** 603.80 ACRE-FEET

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.  
 SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**Period of Use:** JANUARY 1 TO DECEMBER 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>
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2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
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5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD

**Place of Use:**

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
22	22.50	E2SE	3	5S	9W	BEAVERHEAD
23	26.00	SESW	3	5S	9W	BEAVERHEAD
24	25.00	SWSW	3	5S	9W	BEAVERHEAD
25	76.00	NE	9	5S	9W	BEAVERHEAD
26	4.00	SWNW	9	5S	9W	BEAVERHEAD
27	110.00	SE	9	5S	9W	BEAVERHEAD
28	33.98	NENE	10	5S	9W	BEAVERHEAD
29	16.07	NWNE	10	5S	9W	BEAVERHEAD
30	13.77	SENE	10	5S	9W	BEAVERHEAD
31	40.00	SWNE	10	5S	9W	BEAVERHEAD
32	12.00	W2NENW	10	5S	9W	BEAVERHEAD
33	30.00	NWNW	10	5S	9W	BEAVERHEAD
34	28.20	SENW	10	5S	9W	BEAVERHEAD
35	30.00	SWNW	10	5S	9W	BEAVERHEAD
36	7.12	W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09	W2SE	10	5S	9W	BEAVERHEAD
38	26.63	NESW	10	5S	9W	BEAVERHEAD
39	6.00	NWNESW	10	5S	9W	BEAVERHEAD
40	7.00	SWNESW	10	5S	9W	BEAVERHEAD
41	30.00	NWSW	10	5S	9W	BEAVERHEAD
42	14.00	W2SESW	10	5S	9W	BEAVERHEAD
43	30.00	SWSW	10	5S	9W	BEAVERHEAD
44	102.63	NE	11	5S	9W	BEAVERHEAD
45	153.78	NW	11	5S	9W	BEAVERHEAD
46	45.06	NESE	11	5S	9W	BEAVERHEAD
47	1.39	NENWSE	11	5S	9W	BEAVERHEAD
48	5.50	SENWSE	11	5S	9W	BEAVERHEAD
49	20.72	W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22	SESE	11	5S	9W	BEAVERHEAD
51	57.97	SWSE	11	5S	9W	BEAVERHEAD
52	64.73	E2SW	11	5S	9W	BEAVERHEAD
53	13.31	NWSW	11	5S	9W	BEAVERHEAD
54	84.95	NW	12	5S	9W	BEAVERHEAD
55	65.72	SW	12	5S	9W	BEAVERHEAD
56	1.84	NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90	NE	14	5S	9W	BEAVERHEAD
58	14.08	NENW	14	5S	9W	BEAVERHEAD
59	114.52	SW	15	5S	9W	BEAVERHEAD
60	40.00	SWSE	16	5S	9W	BEAVERHEAD
61	154.00	SW	16	5S	9W	BEAVERHEAD
62	122.00	SE	17	5S	9W	BEAVERHEAD
63	76.00	N2NE	20	5S	9W	BEAVERHEAD
64	120.00	E2	21	5S	9W	BEAVERHEAD

**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>
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/14/2004: POINT OF DIVERSION, TYPE OF HISTORICAL RIGHT, FLOW RATE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40.00 ACRE DESCRIPTION AND EACH EXCEEDED 40.00 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BIRCH CREEK WITH A PRIORITY DATE PREDATING CASE NO. 0874 BEAVERHEAD COUNTY.

THE FEDERAL DAM INVENTORY REPORT INDICATES THE ANCHOR LAKE DAM WAS CONSTRUCTED IN 1904.

THE RESERVOIR DATA IS IN QUESTION. FEDERAL DAM INVENTORY INFORMATION (1981) SHOWS THE SURFACE AREA OF 49 ACRES, A DAM HEIGHT OF 12 FEET AND A TOTAL STORAGE OF 510 ACRE-FEET.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119104-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1870**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 2.50 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD



**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
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89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
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**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>
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94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
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102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
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STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40.00 ACRE DESCRIPTION AND EACH EXCEEDED 40.00 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119105-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1870**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 3.00 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 6						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD



**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
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74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
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**Remarks:**

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- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
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- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 119104-00.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

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THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

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AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15 AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119106-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1870**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 314.16 GPM**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD



**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 07/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119107-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1870**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 12.00 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779.242, , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.



AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119108-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1871**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 4.80 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242, , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119109-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1872**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 9.70 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SE	SWNW	16	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	NESW	16	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	NWSW	16	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	NESE	17	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	SESW	19	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	NWNE	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	NENW	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	NENW	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	SENW	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
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102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
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- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242, , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119110-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1874**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 9.68 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
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64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
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92	141.00		SE	23	6S	9W	BEAVERHEAD

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94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
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102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

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AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

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**Water Right Number: 41D 119111-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1881**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 2.90 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						



**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>
12		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**Place of Use:**

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50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

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THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119112-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1881**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 3.60 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD



**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119113-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1881**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 8.75 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD



**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- |           |           |           |           |           |           |           |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 119089-00 | 119090-00 | 119094-00 | 119095-00 | 119098-00 | 119100-00 | 119102-00 |
| 119104-00 | 119105-00 | 119106-00 | 119107-00 | 119108-00 | 119109-00 | 119110-00 |
| 119111-00 | 119112-00 | 119113-00 | 119114-00 | 119115-00 | 119116-00 | 119117-00 |
| 119118-00 | 119119-00 | 119120-00 | 119121-00 | 119122-00 | 119123-00 | 119124-00 |
| 119125-00 | 119126-00 | 119127-00 | 119128-00 | 119129-00 | 119130-00 | 216099-00 |

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119114-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: JULY 1, 1881**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 2.00 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
7	29.38		SESW	36		4S	9W	BEAVERHEAD
8	27.55		SWSW	36		4S	9W	BEAVERHEAD
9	55.35		E2NW	6		5S	8W	BEAVERHEAD
10	33.51		E2NE	1		5S	9W	BEAVERHEAD
11	72.10		W2NE	1		5S	9W	BEAVERHEAD
12	143.76		NW	1		5S	9W	BEAVERHEAD
13	61.06		N2SW	1		5S	9W	BEAVERHEAD
14	22.04		SESW	1		5S	9W	BEAVERHEAD
15	8.26		SESWSW	1		5S	9W	BEAVERHEAD
16	131.52		NE	2		5S	9W	BEAVERHEAD
17	30.76		NENW	2		5S	9W	BEAVERHEAD
18	26.17		SESW	2		5S	9W	BEAVERHEAD
19	34.89		SWNW	2		5S	9W	BEAVERHEAD
20	136.99		SE	2		5S	9W	BEAVERHEAD
21	149.90		SW	2		5S	9W	BEAVERHEAD
22	22.50		E2SE	3		5S	9W	BEAVERHEAD
23	26.00		SESW	3		5S	9W	BEAVERHEAD
24	25.00		SWSW	3		5S	9W	BEAVERHEAD
25	76.00		NE	9		5S	9W	BEAVERHEAD
26	4.00		SWNW	9		5S	9W	BEAVERHEAD
27	110.00		SE	9		5S	9W	BEAVERHEAD
28	33.98		NENE	10		5S	9W	BEAVERHEAD
29	16.07		NWNE	10		5S	9W	BEAVERHEAD
30	13.77		SENE	10		5S	9W	BEAVERHEAD
31	40.00		SWNE	10		5S	9W	BEAVERHEAD
32	12.00		W2NENW	10		5S	9W	BEAVERHEAD
33	30.00		NWNW	10		5S	9W	BEAVERHEAD
34	28.20		SESW	10		5S	9W	BEAVERHEAD
35	30.00		SWNW	10		5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10		5S	9W	BEAVERHEAD
37	79.09		W2SE	10		5S	9W	BEAVERHEAD
38	26.63		NESW	10		5S	9W	BEAVERHEAD
39	6.00		NWNESW	10		5S	9W	BEAVERHEAD
40	7.00		SWNESW	10		5S	9W	BEAVERHEAD
41	30.00		NWSW	10		5S	9W	BEAVERHEAD
42	14.00		W2SESW	10		5S	9W	BEAVERHEAD
43	30.00		SWSW	10		5S	9W	BEAVERHEAD
44	102.63		NE	11		5S	9W	BEAVERHEAD
45	153.78		NW	11		5S	9W	BEAVERHEAD
46	45.06		NESE	11		5S	9W	BEAVERHEAD
47	1.39		NENWSE	11		5S	9W	BEAVERHEAD
48	5.50		SESWSE	11		5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11		5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD



**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- |           |           |           |           |           |           |           |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 119089-00 | 119090-00 | 119094-00 | 119095-00 | 119098-00 | 119100-00 | 119102-00 |
| 119104-00 | 119105-00 | 119106-00 | 119107-00 | 119108-00 | 119109-00 | 119110-00 |
| 119111-00 | 119112-00 | 119113-00 | 119114-00 | 119115-00 | 119116-00 | 119117-00 |
| 119118-00 | 119119-00 | 119120-00 | 119121-00 | 119122-00 | 119123-00 | 119124-00 |
| 119125-00 | 119126-00 | 119127-00 | 119128-00 | 119129-00 | 119130-00 | 216099-00 |

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 80 MINER'S INCHES DECREED IN CASE NO. 874 , BEAVERHEAD COUNTY. 119114-00, 184605-00, 184606-00.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1995, 09/17/1995 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119115-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1883**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 3.00 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
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88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

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

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THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

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AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/1/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.



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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119116-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: APRIL 30, 1883**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 3.48 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

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THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

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AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119117-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: MAY 29, 1883**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 4.45 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119118-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1883**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 1.75 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-102, CXM-2FF-103, CXM-2FF-166, CXM-2FF-168, CXM-2FF-170, CXM-2FF-176, CXM-2FF-178, CXM-3FF-40, CXM-3FF-41, CXM-3FF-42, CXM-3FF-46, CXM-3FF-48, CXM-3FF-89, CXM-3FF-91 , DATED 07/31/65, 08/1/65 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119119-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1883**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 4.50 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						



**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>
12		SE	SWNW	16	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	NESW	16	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	NWSW	16	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	NESE	17	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	SESW	19	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	NWNE	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	NENW	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	NENW	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	SENW	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W BEAVERHEAD	
2	38.62		SE	35	4S	9W BEAVERHEAD	
3	34.49		SW	35	4S	9W BEAVERHEAD	
4	1.84		SE	35	4S	9W BEAVERHEAD	
5	79.00		SE	36	4S	9W BEAVERHEAD	
6	35.81		NE	36	4S	9W BEAVERHEAD	

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SESW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SESW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SESWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 8/17/2005.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119120-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: MAY 1, 1883**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 3.13 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD



**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
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89	230.00		E2	22	6S	9W	BEAVERHEAD
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91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

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AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119121-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1884**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 3.00 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD



**Place of Use:**

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50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**Place of Use:**

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93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

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

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THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119122-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1884**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 4.05 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD



**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 162 MINER'S INCHES DECREED IN CASE NO. 773/774 , BEAVERHEAD COUNTY. 93292-00, 119122-00.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119123-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1884**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 3.20 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SE	SWNW	16	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	NESW	16	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	NWSW	16	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	NESE	17	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	SESW	19	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	NWNE	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	NENW	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	NENW	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	SENW	20	5S	9W BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.



**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119124-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1884**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 4.50 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SESW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SESW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SESWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
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81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
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89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
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**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
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<b>Total:</b>	<b>8,671.96</b>						

**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.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

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THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119125-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: JUNE 9, 1884**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 5.42 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SESW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SESW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SESWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
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65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
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72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
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102	150.00		NE	26	6S	9W	BEAVERHEAD
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<b>Total:</b>	<b>8,671.96</b>						

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119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

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THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

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AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119126-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1885**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 4.20 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 6/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779/242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119127-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: DECEMBER 31, 1888**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 3.60 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						



**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119128-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: SEPTEMBER 1, 1894**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 22.50 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD



**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD

**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM  
IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119129-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: AUGUST 31, 1900**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 30.00 CFS**

**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: 7,696.55**

**Source Name: BIRCH 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NW	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 31						

**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	153.74		W	31	4S	8W	BEAVERHEAD
2	38.62		SE	35	4S	9W	BEAVERHEAD
3	34.49		SW	35	4S	9W	BEAVERHEAD
4	1.84		SE	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NE	36	4S	9W	BEAVERHEAD

**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>
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD



**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>
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD

**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>
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,671.96</b>						

**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.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 119130-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners: BEAVERHEAD WATER CO  
PO BOX 166  
DILLON, MT 59725 0166**

**Priority Date: OCTOBER 31, 1900**

**Type of Historical Right: DECREED**

**Purpose(use): IRRIGATION**

**Irrigation Type: SPRINKLER/FLOOD**

**Flow Rate: 7.00 CFS**

**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: 7,696.55**

**Source Name: WILLOW 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		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 2						
2		NENWSE	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 3						
3		NWSESW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL DITCH NO. 1						
4		SESWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 2						
5		SWSWSW	36	4S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> RUSSELL-BLUNT-SELWAY DITCH						
6		NENENE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> VIPOND DITCH NO. 1						
7		NESWNE	2	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CEMETERY DITCH						
8		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FRANCES DITCH						
9		SESESE	3	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> UPPER MEADOW DITCH						
10		SWNESW	10	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN DITCH						
11		NESWNE	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 11						

**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>
12		SESWNW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> OLIVER DITCH NO. 12						
13		SWNESW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAURER-SWARTZ DITCH						
14		SENWSW	16	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 4						
15		NWNESE	17	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 3						
16		NWSESW	19	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BEAVERHEAD WATER CO DITCH						
17		NENWNE	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MAIN-WILLIS DITCH						
18		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 1						
19		NENENW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> MARCHESSEAU DITCH NO. 2						
20		NWSESW	20	5S	9W	BEAVERHEAD
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HAINING DITCH						
<b>Period of Use:</b> JANUARY 1 TO DECEMBER 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	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD

**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>
7	39.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	45.06		NESE	11	5S	9W	BEAVERHEAD
46	1.39		NENWSE	11	5S	9W	BEAVERHEAD
47	5.50		SENWSE	11	5S	9W	BEAVERHEAD
48	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
49	46.22		SESE	11	5S	9W	BEAVERHEAD

**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>
50	57.97		SWSE	11	5S	9W	BEAVERHEAD
51	64.73		E2SW	11	5S	9W	BEAVERHEAD
52	13.31		NWSW	11	5S	9W	BEAVERHEAD
53	84.95		NW	12	5S	9W	BEAVERHEAD
54	65.72		SW	12	5S	9W	BEAVERHEAD
55	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
56	105.90		NE	14	5S	9W	BEAVERHEAD
57	14.08		NENW	14	5S	9W	BEAVERHEAD
58	114.52		SW	15	5S	9W	BEAVERHEAD
59	40.00		SWSE	16	5S	9W	BEAVERHEAD
60	154.00		SW	16	5S	9W	BEAVERHEAD
61	122.00		SE	17	5S	9W	BEAVERHEAD
62	76.00		N2NE	20	5S	9W	BEAVERHEAD
63	120.00		E2	21	5S	9W	BEAVERHEAD
64	40.00		NWNW	21	5S	9W	BEAVERHEAD
65	40.00		NESW	21	5S	9W	BEAVERHEAD
66	38.16		NWSW	21	5S	9W	BEAVERHEAD
67	40.00		SESW	21	5S	9W	BEAVERHEAD
68	40.00		SWSW	21	5S	9W	BEAVERHEAD
69	28.01		NENW	22	5S	9W	BEAVERHEAD
70	30.36		NWNW	22	5S	9W	BEAVERHEAD
71	13.31		SENW	22	5S	9W	BEAVERHEAD
72	33.57		SWNW	22	5S	9W	BEAVERHEAD
73	1.38		NWNESW	22	5S	9W	BEAVERHEAD
74	26.17		NWSW	22	5S	9W	BEAVERHEAD
75	21.58		SWSW	22	5S	9W	BEAVERHEAD
76	100.00		SE	1	6S	9W	BEAVERHEAD
77	150.00		SE	10	6S	9W	BEAVERHEAD
78	615.00			11	6S	9W	BEAVERHEAD
79	157.00		NE	12	6S	9W	BEAVERHEAD
80	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
81	37.00		S2NW	12	6S	9W	BEAVERHEAD
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85	602.00			14	6S	9W	BEAVERHEAD
86	155.00		NE	15	6S	9W	BEAVERHEAD
87	160.00		SE	15	6S	9W	BEAVERHEAD
88	230.00		E2	22	6S	9W	BEAVERHEAD
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**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>
93	155.00		NE	24	6S	9W	BEAVERHEAD
94	158.00		NW	24	6S	9W	BEAVERHEAD
95	160.00		SE	24	6S	9W	BEAVERHEAD
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98	79.00		W2NE	25	6S	9W	BEAVERHEAD
99	151.00		NW	25	6S	9W	BEAVERHEAD
100	40.00		NWSE	25	6S	9W	BEAVERHEAD
101	150.00		NE	26	6S	9W	BEAVERHEAD
102	160.00		NW	26	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>8,528.18</b>						

**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.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/20/1982.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120767-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

ANNA JOY BURKENPAS  
3425 REBICH LN  
DILLON, MT 59725 7331

DARRELL V BURKENPAS  
3425 REBICH LN  
DILLON, MT 59725 7331

HELEN E TOMMERUP  
3175 REBICH LN  
DILLON, MT 59725 8565

RANDALL A TOMMERUP  
3175 REBICH LN  
DILLON, MT 59725 8565

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** APRIL 1, 1883

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 30.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 365.00  
**Source Name:** BEAVERHEAD 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		NWSWNW	20	8S	9W	BEAVERHEAD

**Period of Diversion:** MARCH 1 TO JULY 4

**Diversion Means:** HEADGATE

**Ditch Name:** SMITH-REBICH DITCH

**\*Period of Use:** APRIL 1 TO JULY 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	20.00		NESE	8	8S	9W	BEAVERHEAD
2	40.00		NWSE	8	8S	9W	BEAVERHEAD
3	40.00		SWSE	8	8S	9W	BEAVERHEAD
4	40.00		NESW	8	8S	9W	BEAVERHEAD
5	20.00		NWSW	8	8S	9W	BEAVERHEAD
6	40.00		SESW	8	8S	9W	BEAVERHEAD
7	40.00		SWSW	8	8S	9W	BEAVERHEAD
8	30.00		NWNE	17	8S	9W	BEAVERHEAD
9	40.00		NENW	17	8S	9W	BEAVERHEAD
10	10.00		NWNW	17	8S	9W	BEAVERHEAD
11	30.00		SENW	17	8S	9W	BEAVERHEAD
12	15.00		SWNW	17	8S	9W	BEAVERHEAD

**Total:** 365.00

**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.

120767-00 88732-00 88733-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 37.00 GPM PER ACRE. USDA AERIAL PHOTOGRAPH NO(S). 879-18 , DATED 09/18/1979 , APPEARS TO INDICATE 290.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. AERIAL PHOTOGRAPH NO(S). CXM-3FF-71 , DATED 08/1/1965 , APPEARS TO INDICATE 290.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120775-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

BARBARA A NITSCHÉ  
282 SCHULTZ LN  
DILLON, MT 59725 8272

CORINNE K WELBORN  
100 CHOKECHERRY DR  
DILLON, MT 59725 9586

CYNTHIA K BARNES  
4725 MONTANA HWY 91 N  
DILLON, MT 59725 9516

FLOYD T BARNES  
4725 MONTANA HWY 91 N  
DILLON, MT 59725 9516

GENI L LADEN  
3059 SKYLARK DR  
EAST HELENA, MT 59635 3155

LINDSEY CLARKE  
212 SCHULTZ LN  
DILLON, MT 59725 8272

MICHAEL CLARKE  
212 SCHULTZ LN  
DILLON, MT 59725 8272

TOLMAN LIVESTOCK CO  
372 TOLMAN RD  
POWELL, WY 82435 8123

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** AUGUST 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 8.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 385.14

**Source Name:** BEAVERHEAD 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		SWSWSE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** GUIDICI DITCH

**Period of Use:** APRIL 1 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	10.00		SWNENW	31	6S	8W	BEAVERHEAD
2	30.00		SEnw	31	6S	8W	BEAVERHEAD
3	22.00	2	SWNW	31	6S	8W	BEAVERHEAD
4	40.00		NESW	31	6S	8W	BEAVERHEAD
5	34.47	3	NWSW	31	6S	8W	BEAVERHEAD
6	10.00		NWSESW	31	6S	8W	BEAVERHEAD
7	10.00		SWSESW	31	6S	8W	BEAVERHEAD
8	34.58	4	SWSW	31	6S	8W	BEAVERHEAD
9	5.24		SWSWNE	6	7S	8W	BEAVERHEAD
10	39.86	3	NENW	6	7S	8W	BEAVERHEAD
11	31.07	4	NWNW	6	7S	8W	BEAVERHEAD
12	40.00		SEnw	6	7S	8W	BEAVERHEAD
13	23.86	5	SWNW	6	7S	8W	BEAVERHEAD
14	7.40		NWSE	6	7S	8W	BEAVERHEAD
15	33.00		NESW	6	7S	8W	BEAVERHEAD
16	13.66	6	NWSW	6	7S	8W	BEAVERHEAD
<b>Total:</b>	<b>385.14</b>						

**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.

120775-00 120776-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 450 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 4552-00, 41B 26049-00, 41B 32457-00, 41B 36179-00, 41B 88381-00, 41B 88685-00, 41B 88808-00, 41B 88809-00, 41B 88810-00, 41B 92153-00, 41B 120775-00, 41B 128106-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120776-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

BARBARA A NITSCHÉ  
282 SCHULTZ LN  
DILLON, MT 59725 8272

CORINNE K WELBORN  
100 CHOKECHERRY DR  
DILLON, MT 59725 9586

CYNTHIA K BARNES  
4725 MONTANA HWY 91 N  
DILLON, MT 59725 9516

FLOYD T BARNES  
4725 MONTANA HWY 91 N  
DILLON, MT 59725 9516

GENI L LADEN  
3059 SKYLARK DR  
EAST HELENA, MT 59635 3155

LINDSEY CLARKE  
212 SCHULTZ LN  
DILLON, MT 59725 8272

MICHAEL CLARKE  
212 SCHULTZ LN  
DILLON, MT 59725 8272

TOLMAN LIVESTOCK CO  
372 TOLMAN RD  
POWELL, WY 82435 8123

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** NOVEMBER 30, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 5.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 385.14

**Source Name:** BEAVERHEAD 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		SWSWSE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** GUIDICI DITCH

**Period of Use:** APRIL 1 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	10.00		SWNENW	31	6S	8W	BEAVERHEAD
2	30.00		SEnw	31	6S	8W	BEAVERHEAD
3	22.00	2	SWNW	31	6S	8W	BEAVERHEAD
4	40.00		NESW	31	6S	8W	BEAVERHEAD
5	34.47	3	NWSW	31	6S	8W	BEAVERHEAD
6	10.00		NESESW	31	6S	8W	BEAVERHEAD
7	10.00		NWSESW	31	6S	8W	BEAVERHEAD
8	34.58	4	SWSW	31	6S	8W	BEAVERHEAD
9	5.24		SWSWNE	6	7S	8W	BEAVERHEAD
10	39.86	3	NENW	6	7S	8W	BEAVERHEAD
11	31.07	4	NWNW	6	7S	8W	BEAVERHEAD
12	40.00		SEnw	6	7S	8W	BEAVERHEAD
13	23.86	5	SWNW	6	7S	8W	BEAVERHEAD
14	7.40		NWSE	6	7S	8W	BEAVERHEAD
15	33.00		NWNESW	6	7S	8W	BEAVERHEAD
16	13.66	6	NWSW	6	7S	8W	BEAVERHEAD
<b>Total:</b>	<b>385.14</b>						

**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.

120775-00 120776-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 200 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 26048-00, 41B 92152-00, 41B 120776-00, 41B 127853-00, 41B 127854-00, 41B 30046386-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120830-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** DAVIS FAMILY TRUST  
87 MCKEOWN LN  
CARDWELL, MT 59721 9611

**Priority Date:** MAY 10, 1928

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** 85.00 GPM

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*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:** 5.00

**\*Source Name:** WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BEAVERHEAD RIVER

**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		NWNENE	24	7S	9W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 TO NOVEMBER 1

**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	5.00		NWNENE	24	7S	9W	BEAVERHEAD

**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>
Total:	5.00						

**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.

120830-00 3270-00 3271-00 49615-00 49616-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 41B 120830-00, 41B 3271-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120831-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JOHN ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

PHYLLIS ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

**Priority Date:** AUGUST 21, 1919

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** SPRING, UNNAMED TRIBUTARY OF DIVIDE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	8		6S	13W	BEAVERHEAD

**Period of Diversion:** JUNE 20 TO OCTOBER 20

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JUNE 20 TO OCTOBER 20

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			NWSWNW	8	6S	13W	BEAVERHEAD

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120834-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JOHN ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

PHYLLIS ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

**Priority Date:** MAY 14, 1920

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** SPRING, UNNAMED TRIBUTARY OF DIVIDE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SE	6S	13W	BEAVERHEAD

**Period of Diversion:** JUNE 20 TO OCTOBER 2

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JUNE 20 TO OCTOBER 2



Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	SE	SE	6	6S 13W	BEAVERHEAD

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120837-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JOHN ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

PHYLLIS ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

**Priority Date:** AUGUST 21, 1919

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** SPRING, UNNAMED TRIBUTARY OF DIVIDE 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWN	NWN	8	6S	13W	BEAVERHEAD

**Period of Diversion:** JUNE 20 TO OCTOBER 20

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JUNE 20 TO OCTOBER 20

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			NWN	8	6S	13W	BEAVERHEAD

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120838-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JOHN ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

PHYLLIS ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

**Priority Date:** JUNE 1, 1914

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** SPRING, UNNAMED TRIBUTARY OF DIVIDE CREEK

**Source Type:** SURFACE WATER  
ALSO KNOWN AS WEST POISON HILL SPRING.

**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		NE	SESW	5	6S 13W	BEAVERHEAD

**Period of Diversion:** JUNE 20 TO OCTOBER 20

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JUNE 20 TO OCTOBER 20

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			NE	SE	SW	5	6S 13W BEAVERHEAD

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120839-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JOHN ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

PHYLLIS ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

**Priority Date:** JUNE 26, 1911

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF KRUEGER CREEK

**Source Type:** SURFACE WATER  
ALSO KNOWN AS MORRISON SPRING

**\*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		SEN	SW 4	6S	13W	BEAVERHEAD

**Period of Diversion:** JUNE 20 TO OCTOBER 20

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JUNE 20 TO OCTOBER 20

**\*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			SEN	SW 4	6S	13W	BEAVERHEAD

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120840-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JOHN ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

PHYLLIS ERB  
540 SKYLINE DR  
DILLON, MT 59725 9536

**Priority Date:** JUNE 1, 1914

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** SPRING, UNNAMED TRIBUTARY OF DIVIDE CREEK

**Source Type:** SURFACE WATER  
ALSO KNOWN AS EAST POISON HILL SPRING

**\*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		SENWSE	5	6S	13W	BEAVERHEAD

**Period of Diversion:** JUNE 20 TO OCTOBER 20

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JUNE 20 TO OCTOBER 20



**\*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			SENWSE	5	6S	13W	BEAVERHEAD

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120899-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** APRIL 1, 1884

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 2.15 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 570.00

**Source Name:** BEAVERHEAD RIVER

**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		NWSWNW	20	8S	9W	BEAVERHEAD

**Period of Diversion:** MARCH 20 TO NOVEMBER 10

**Diversion Means:** HEADGATE

**Ditch Name:** SMITH-REBICH DITCH

**Period of Use:** MARCH 20 TO NOVEMBER 10

**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	300.00		S2	4	8S	9W	BEAVERHEAD
2	270.00		S2	5	8S	9W	BEAVERHEAD
<b>Total:</b>	570.00						

**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.

117618-00 120899-00 120900-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/2009: PERIOD OF USE, PERIOD OF DIVERSION.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 09/06/1982.

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

AERIAL PHOTOGRAPH NO(S). CXM-6FF-99, CXM-3FF-73 , DATED 08/18/1965, 08/01/1965 , APPEARS TO INDICATE 515.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120900-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** APRIL 1, 1883

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 6.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 570.00

**Source Name:** BEAVERHEAD RIVER

**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		NWSWNW	20	8S	9W	BEAVERHEAD

**Period of Diversion:** MARCH 20 TO NOVEMBER 10

**Diversion Means:** HEADGATE

**Ditch Name:** SMITH-REBICH DITCH

**Period of Use:** MARCH 20 TO NOVEMBER 10

**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	300.00		S2	4	8S	9W	BEAVERHEAD
2	270.00		S2	5	8S	9W	BEAVERHEAD
<b>Total:</b>	570.00						

**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.

117618-00 120899-00 120900-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/2009: PERIOD OF DIVERSION, PERIOD OF USE.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 09/06/1982.

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

AERIAL PHOTOGRAPH NO(S). CXM-6FF-99, CXM-3FF-73 , DATED 08/18/1965, 08/01/1965 , APPEARS TO INDICATE 515.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120901-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

DEAN P DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

HEIDI L DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

LEE ANN DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

PAUL R DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

**Priority Date:** MAY 1, 1893

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.88 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 80.00

**Source Name:** GRASSHOPPER 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		SWSESE	30	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** KHUNI-WILLIAMS DITCH

**Period of Use:** APRIL 1 TO NOVEMBER 30

**\*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	60.00		W2SE	31	5S	12W	BEAVERHEAD
2	5.00	4	NWNW	6	6S	12W	BEAVERHEAD
3	15.00	5	SWNW	6	6S	12W	BEAVERHEAD
<b>Total:</b>	80.00						

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/20/1996: PLACE OF USE, MAXIMUM ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120902-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**\*Owners:**

AMELIA L AMISH  
PO BOX 2251  
HAMILTON, MT 59840 2251

CATHY WEBER  
1300 E BANNACK ST  
DILLON, MT 59725 3600

CHERYL P SLOTTA  
21118 SE 137TH PL  
ISSAQUAH, WA 98027 8489

DAVID J AMISH  
PO BOX 2251  
HAMILTON, MT 59840 2251

JEFFERY J SLOTTA  
21118 SE 137TH PL  
ISSAQUAH, WA 98027 8489

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** JUNE 27, 1902

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 282.74 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 20.00

Source Name: WHITE 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		NWSESW	9	5S	12W	BEAVERHEAD

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: NELSON DITCH NO. 2

Period of Use: APRIL 15 TO OCTOBER 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	10.00		N2SESW	9	5S	12W	BEAVERHEAD
2	5.00		S2SESW	9	5S	12W	BEAVERHEAD
3	5.00		SESWSW	9	5S	12W	BEAVERHEAD
<b>Total:</b>	20.00						

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120903-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**\*Owners:**

DORINDA I BECKER  
PO BOX 460494  
POLARIS, MT 59746 0494

ELLEN P FOSTER  
1316 WRENFIELD WAY  
VILLANOVA, PA 19085 2067

JAMES L BECKER  
100 CLARK CREEK RD  
POLARIS, MT 59746

KATIE ANN MILLER  
5235 MT HWY 91 N  
DILLON, MT 59725 8306

ROSS M MILLER  
5235 MT HWY 91 N  
DILLON, MT 59725 8306

TIMOTHY E FOSTER  
1316 WRENFIELD WAY  
VILLANOVA, PA 19085 2067

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** SEPTEMBER 19, 1900

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 6.88 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area: 5 - LOW**

**Maximum Acres:** 28.00  
**Source Name:** CLARK 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		SE	SWNE	8	5S 12W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 15 TO NOVEMBER 1

**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	13.00		E2	SWSE	8	5S 12W	BEAVERHEAD
2	6.00		W2	SWSE	8	5S 12W	BEAVERHEAD
3	9.00		E2	NWNE	17	5S 12W	BEAVERHEAD
<b>Total:</b>	<b>28.00</b>						

**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.

117621-00 120903-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/01/2010: MAXIMUM ACRES AND PLACE OF USE.

AN AMENDMENT WAS SUBMITTED ON 08/16/1999 AND WAS NOT IMPLEMENTED BECAUSE IT WAS NOT SIGNED BY ALL OWNERS LISTED IN THE DNRC RECORDS. THIS AMENDMENT HAS BEEN SUPERCEDED BY AN AMENDMENT SUBMITTED ON 11/01/2010.

AN REQUEST TO WITHDRAW AN AMENDMENT MADE ON 08/16/1999 WAS NOT PROCESSED AS THE SUBSEQUENT AMENDMENT ALREADY REPLACED THE ELEMENTS AMENDED.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 110.00 GPM PER ACRE.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 127.26 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120904-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

DEAN P DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

HEIDI L DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

LEE ANN DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

PAUL R DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

**Priority Date:** JUNE 25, 1890

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 110.00

**Source Name:** GRASSHOPPER 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		SWSESE	30	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** KHUNI-WILLIAMS DITCH

**Period of Use:** APRIL 1 TO NOVEMBER 30

**\*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	20.00		NESE	31	5S	12W	BEAVERHEAD
2	20.00		SESE	31	5S	12W	BEAVERHEAD
3	10.00		SWSE	31	5S	12W	BEAVERHEAD
4	5.00	3	NENW	6	6S	12W	BEAVERHEAD
5	5.00	4	E2NWNW	6	6S	12W	BEAVERHEAD
6	30.00		SENE	6	6S	12W	BEAVERHEAD
7	20.00		E2SWNW	6	6S	12W	BEAVERHEAD
<b>Total:</b>	110.00						

**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.

120904-00 120906-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/20/1996: MAXIMUM ACRES, PLACE OF USE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

AERIAL PHOTOGRAPH NO(S). CXM-4FF-88 , DATED 08/14/1965 , APPEARS TO INDICATE 69 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**



**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120905-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

DEAN P DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

HEIDI L DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

LEE ANN DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

PAUL R DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

**Priority Date:** JUNE 1, 1885

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 35.00

**Source Name:** FARLIN 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>Twtp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSW	5	6S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** AVERY DITCH

**Period of Use:** APRIL 1 TO NOVEMBER 30

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twtp</u>	<u>Rge</u>	<u>County</u>
1	17.00		S2NESE	6	6S	12W	BEAVERHEAD
2	12.00		S2NWSE	6	6S	12W	BEAVERHEAD
3	1.00		N2NWSESE	6	6S	12W	BEAVERHEAD
4	5.00		N2SWSE	6	6S	12W	BEAVERHEAD
<b>Total:</b>	35.00						

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/20/1996: MAXIMUM ACRES, PLACE OF USE.

THE SOURCE WAS AMENDED BY THE CLAIMANT ON 07/07/1989.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120906-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

DEAN P DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

HEIDI L DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

LEE ANN DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

PAUL R DREHER  
97 E 200 N  
BLACKFOOT, ID 83221 5810

**Priority Date:** JUNE 25, 1890

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.88 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 110.00

**Source Name:** GRASSHOPPER 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		SWSESE	30	5S	12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** KHUNI-WILLIAMS DITCH

**Period of Use:** APRIL 1 TO NOVEMBER 30

**\*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	20.00		NESE	31	5S	12W	BEAVERHEAD
2	20.00		SESE	31	5S	12W	BEAVERHEAD
3	10.00		SWSE	31	5S	12W	BEAVERHEAD
4	5.00	3	NENW	6	6S	12W	BEAVERHEAD
5	5.00	4	E2NWNW	6	6S	12W	BEAVERHEAD
6	30.00		SENE	6	6S	12W	BEAVERHEAD
7	20.00		E2SWNW	6	6S	12W	BEAVERHEAD
<b>Total:</b>	110.00						

**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.

120904-00 120906-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/20/1996: MAXIMUM ACRES, PLACE OF USE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

AERIAL PHOTOGRAPH NO(S). CXM-4FF-88 , DATED 08/14/1965 , APPEARS TO INDICATE 69 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120954-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1901

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** SPRING, UNNAMED TRIBUTARY OF FRYING PAN GULCH

**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		SWNWSE	30	6S	9W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO JULY 1  
OCTOBER 1 TO JANUARY 1

**Diversion Means:** UNDEVELOPED SPRING

**Period of Use:** APRIL 1 TO JULY 1  
OCTOBER 1 TO JANUARY 1

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			SWNWSE	30	6S	9W	BEAVERHEAD

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/2009: POINT OF DIVERSION, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120955-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1901

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF TAYLOR CREEK

**Source Type:** SURFACE WATER  
ALSO KNOWN AS CHRISTENSEN SPRING

**\*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		SWNWNE	28	7S	11W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO JULY 1  
NOVEMBER 1 TO JANUARY 1

**Diversion Means:** UNDEVELOPED SPRING

**Period of Use:** MAY 1 TO JULY 1  
NOVEMBER 1 TO JANUARY 1

**\*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			SWNWNE	28	7S	11W	BEAVERHEAD

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 120956-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701 3515

**Priority Date:** JUNE 1, 1901

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** SPRING, UNNAMED TRIBUTARY OF FRYING PAN GULCH

**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		NESWNW	30	6S	9W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO JULY 1  
OCTOBER 1 TO JANUARY 1

**Diversion Means:** UNDEVELOPED SPRING

**Period of Use:** APRIL 1 TO JULY 1  
OCTOBER 1 TO JANUARY 1

**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			NESWNW	30	6S	9W	BEAVERHEAD

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE CLAIMED PLACE OF USE APPEARS TO BE OWNED BY NATURAL GUARDIAN LP.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE SPRING CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 121012-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

ADELE P ROUSE  
200 GREEN MEADOW DR  
DILLON, MT 59725 8228

CLINTON W ROUSE  
195 SUNSET LN  
DILLON, MT 59725 8261

JANICE L ROUSE  
171 GREEN MEADOW DR  
DILLON, MT 59725 8227

MIRIAM ROUSE  
200 GREEN MEADOW DR  
DILLON, MT 59725 8228

PIERCE M ROUSE  
225 SUNSET LN  
DILLON, MT 59725 8266

RAMONA GLAUS  
172 ANTELOPE DR  
DILLON, MT 59725 8892

TODD E ROUSE  
171 GREEN MEADOW DR  
DILLON, MT 59725 8227

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** APRIL 15, 1886

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 1.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 80.00

**Source Name:** BEAVERHEAD RIVER

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** MAY 1 TO OCTOBER 31

**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	80.00		E2	SW	5	7S	8W	BEAVERHEAD

**Total:** 80.00

**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.

121012-00 121013-00 121015-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 121013-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

ADELE P ROUSE  
200 GREEN MEADOW DR  
DILLON, MT 59725 8228

CLINTON W ROUSE  
195 SUNSET LN  
DILLON, MT 59725 8261

JANICE L ROUSE  
171 GREEN MEADOW DR  
DILLON, MT 59725 8227

MIRIAM ROUSE  
200 GREEN MEADOW DR  
DILLON, MT 59725 8228

PIERCE M ROUSE  
225 SUNSET LN  
DILLON, MT 59725 8266

RAMONA GLAUS  
172 ANTELOPE DR  
DILLON, MT 59725 8892

TODD E ROUSE  
171 GREEN MEADOW DR  
DILLON, MT 59725 8227

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** MAY 1, 1884

**Type of Historical Right:** DECREED



**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 224.40 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 80.00

**Source Name:** BEAVERHEAD RIVER

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** MAY 1 TO OCTOBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		E2	SW	5	7S	8W	BEAVERHEAD

**Total:** 80.00

**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.

121012-00 121013-00 121015-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 120 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 15224-00, 41B 88270-00, 41B 88276-00, 41B 103158-00, 41B 121013-00, 41B 132390-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 121015-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

ADELE P ROUSE  
200 GREEN MEADOW DR  
DILLON, MT 59725 8228

CLINTON W ROUSE  
195 SUNSET LN  
DILLON, MT 59725 8261

JANICE L ROUSE  
171 GREEN MEADOW DR  
DILLON, MT 59725 8227

MIRIAM ROUSE  
200 GREEN MEADOW DR  
DILLON, MT 59725 8228

PIERCE M ROUSE  
225 SUNSET LN  
DILLON, MT 59725 8266

RAMONA GLAUS  
172 ANTELOPE DR  
DILLON, MT 59725 8892

TODD E ROUSE  
171 GREEN MEADOW DR  
DILLON, MT 59725 8227

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** MAY 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 1.63 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 80.00

**Source Name:** BEAVERHEAD 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		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** MAY 1 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	80.00		E2SW	5	7S	8W	BEAVERHEAD

**Total:** 80.00

**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.

121012-00 121013-00 121015-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121015-00 121026-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 121024-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

ADELE P ROUSE  
200 GREEN MEADOW DR  
DILLON, MT 59725 8228

CLINTON W ROUSE  
195 SUNSET LN  
DILLON, MT 59725 8261

MIRIAM ROUSE  
200 GREEN MEADOW DR  
DILLON, MT 59725 8228

PIERCE M ROUSE  
225 SUNSET LN  
DILLON, MT 59725 8266

RAMONA GLAUS  
172 ANTELOPE DR  
DILLON, MT 59725 8892

TODD E ROUSE  
171 GREEN MEADOW DR  
DILLON, MT 59725 8227

**\*Priority Date:** MARCH 17, 1982

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE FILING DATE OF THE STATEMENT OF CLAIM. THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA.

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**Flow Rate:** 10.00 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER  
**Source Type:** GROUNDWATER

**\*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		NW	5	7S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 31

**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			E2	5	7S	8W	BEAVERHEAD

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 121026-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

ADELE P ROUSE  
200 GREEN MEADOW DR  
DILLON, MT 59725 8228

CLINTON W ROUSE  
195 SUNSET LN  
DILLON, MT 59725 8261

MIRIAM ROUSE  
200 GREEN MEADOW DR  
DILLON, MT 59725 8228

PIERCE M ROUSE  
225 SUNSET LN  
DILLON, MT 59725 8266

RAMONA GLAUS  
172 ANTELOPE DR  
DILLON, MT 59725 8892

TODD E ROUSE  
171 GREEN MEADOW DR  
DILLON, MT 59725 8227

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.



**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Source Name:** BEAVERHEAD RIVER  
**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		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** JANUARY 1 TO DECEMBER 31

**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			E2SW	5	7S	8W	BEAVERHEAD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121015-00 121026-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127744-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** CHRISTOPHER B TOMLINSON  
590 LAKNAR LN  
DILLON, MT 59725 8897

KIMBERLEE A TOMLINSON  
590 LAKNAR LN  
DILLON, MT 59725 8897

**Priority Date:** APRIL 15, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 22.44 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 2.00

**Source Name:** BEAVERHEAD RIVER

**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		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** APRIL 1 TO OCTOBER 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	2.00		S	W	SENE	7	7S 8W BEAVERHEAD
<b>Total:</b>	2.00						

**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.

127744-00 49956-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127745-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** FRED R CURTIS  
586 LAKNAR LN  
DILLON, MT 59725 8897

MARGARET S CURTIS  
586 LAKNAR LN  
DILLON, MT 59725 8897

**Priority Date:** APRIL 15, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 22.44 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 2.00

**Source Name:** BEAVERHEAD RIVER

**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		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** APRIL 1 TO OCTOBER 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	2.00		NWNESE	7	7S	8W	BEAVERHEAD
<b>Total:</b>	2.00						

**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.

127745-00 49957-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127746-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

DOUGLAS F PETERSON JR  
8858 DOUGLAS CIR  
HELENA, MT 59602 9377

FLOY NICHOLSON  
97 REBICH LN  
DILLON, MT 59725 7397

JESSE D PETERSON  
97 REBICH LN  
DILLON, MT 59725 7397

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** APRIL 15, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 58.34 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 5.00

Source Name: BEAVERHEAD RIVER  
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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	7	7S	8W	BEAVERHEAD

Period of Diversion: MAY 1 TO NOVEMBER 1

Diversion Means: HEADGATE

Subdivision: BEAVERHEAD ACRES

Ditch Name: SELWAY SLOUGH

Period of Use: MAY 1 TO NOVEMBER 1

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESWNE	6	7S	8W	BEAVERHEAD
							Subdivision: BEAVERHEAD ACRES TRACT/LOT: 25
2	2.00		NENWSE	6	7S	8W	BEAVERHEAD
							Subdivision: BEAVERHEAD ACRES TRACT/LOT: 25

Total: 5.00

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/26/1995: PRIORITY DATE, PLACE OF USE.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127786-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** BRUCE F BOTSFORD  
1625 SCHULTZ LN  
DILLON, MT 59725

CAROL A BOTSFORD  
1625 SCHULTZ LN  
DILLON, MT 59725

**Priority Date:** APRIL 15, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 58.34 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 5.00

**Source Name:** BEAVERHEAD RIVER

**Source Type:** SURFACE WATER

ALSO KNOWN AS SELWAY SLOUGH

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	W	SE	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 TO NOVEMBER 1

**\*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	5.00		W2NWSE	6	7S	8W	BEAVERHEAD
	<u>Subdivision:</u>	BEAVERHEAD ACRES TRACT/LOT: 29					
<b>Total:</b>	5.00						

**Remarks:**

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 01/15/1991.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127787-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** DANIEL C HILL  
3125 BROWNS RD  
DILLON, MT 59725 8577

MARY A HILL  
3125 BROWNS RD  
DILLON, MT 59725 8577

**Priority Date:** DECEMBER 10, 1963

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF BLACKTAIL DEER CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS JAKOVAC SPRING #3

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SE	26	8S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** UNDEVELOPED SPRING

**Period of Use:** APRIL 1 TO OCTOBER 1

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			NE	SESW	26	8S	8W BEAVERHEAD

Remarks:

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127788-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** BEATRICE C MITCHELL  
3000 BLACKTAIL RD  
DILLON, MT 59725 8389

THOMAS H MITCHELL  
3000 BLACKTAIL RD  
DILLON, MT 59725 8389

**Priority Date:** DECEMBER 10, 1963

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF BLACKTAIL DEER CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS JACKOVAC SPRING #1

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	26		8S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** UNDEVELOPED SPRING

**Period of Use:** APRIL 1 TO OCTOBER 1

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			NENENW	26	8S	8W	BEAVERHEAD

Remarks:

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/17/2008 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LA CENSE LLC, 4600 CARRIGAN LN, DILLON, MT 59725.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127789-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** BEATRICE C MITCHELL  
3000 BLACKTAIL RD  
DILLON, MT 59725 8389

THOMAS H MITCHELL  
3000 BLACKTAIL RD  
DILLON, MT 59725 8389

**Priority Date:** DECEMBER 10, 1963

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** SPRING, UNNAMED TRIBUTARY OF BLACKTAIL DEER CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS JACKOVAC #2

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	27	8S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** UNDEVELOPED SPRING

**Period of Use:** APRIL 1 TO OCTOBER 1

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			NWSESE	27	8S	8W	BEAVERHEAD

Remarks:

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/17/2008 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LA CENSE LLC, 4600 CARRIGAN LN, DILLON, MT 59725.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127849-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

JOHN T HOLLAND  
1125 CATTLE DR  
DILLON, MT 59725

PATTI A HOLLAND  
1125 CATTLE DR  
DILLON, MT 59725

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 15, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 112.20 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 5.00

**Source Name:** BEAVERHEAD RIVER

**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>Tw</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	7	7S	8W	BEAVERHEAD

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: PORCH-ENNIS DITCH

Period of Use: APRIL 1 TO OCTOBER 31

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1	5.00		W2SWNE	5	7S	8W	BEAVERHEAD
<b>Total:</b>	5.00						

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 65 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 15225-00, 41B 88081-00, 41B 88271-00, 41B 88279-00, 41B 88688-00, 41B 88779-00, 41B 88813-00, 41B 113696-00, 41B 127849-00, 41B 128107-00, 41B 132391-00, 41B 133627-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 22.00 GPM PER ACRE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127850-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JOE F MACIOROSKI  
200 MOUNTAIN VIEW DR N  
DILLON, MT 59725

LYNNETTE B MACIOROSKI  
200 MOUNTAIN VIEW DR  
DILLON, MT 59725

**Priority Date:** APRIL 30, 1885

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 58.30 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 5.00

**Source Name:** BEAVERHEAD 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		NWSE	8	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO SEPTEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** REINHARDT DITCH

**Period of Use:** MAY 1 TO SEPTEMBER 30

**\*Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		SWNE	5	7S	8W	BEAVERHEAD	
	<u>Subdivision:</u>	TAYLOR WEBSTER TRACT/LOT: 12						
<b>Total:</b>	5.00							

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 200 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 2385-00, 41B 3480-00, 41B 18654-00, 41B 18655-00, 41B 18656-00, 41B 18657-00, 41B 49996-00, 41B 88417-00, 41B 88472-00, 41B 88692-00, 41B 88896-00, 41B 110685-00, 41B 127850-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 41B 2385-00, 41B 18654-00, 41B 18655-00, 41B 18656-00, 41B 18657-00, 41B 49996-00, 41B 88417-00, 41B 88472-00, 41B 88692-00, 41B 88896-00, 41B 127850-00, 41B 110685-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127853-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

CURT LEMHOUSE  
2770 HWY 91 N  
DILLON, MT 59725 9586

KIM LEMHOUSE  
2770 HWY 91 N  
DILLON, MT 59725 9586

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** NOVEMBER 30, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 112.20 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 11.00

**Source Name:** BEAVERHEAD 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		SWSWSE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** GUIDICI DITCH

PUMP IS USED AS AN ADDITIONAL MEANS OF DIVERSION.

**Period of Use:** APRIL 15 TO OCTOBER 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	10.00		S2SESW	6	7S	8W	BEAVERHEAD
<b>Total:</b>	10.00						

**Remarks:**

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

SPLIT CLAIM NO. 30046386-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 200 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 26048-00, 41B 92152-00, 41B 120776-00, 41B 127853-00, 41B 127854-00, 41B 30046386-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 127854-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

SUSANNA DONNELLY  
127 SCHULER LN STOP A  
DILLON, MT 59725 8263

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** NOVEMBER 30, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 44.80 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 4.00

**Source Name:** BEAVERHEAD 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		SWSWSE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** GUIDICI DITCH

PUMP IS USED AS AN ADDITIONAL MEANS OF DIVERSION.

**Period of Use:** APRIL 15 TO OCTOBER 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	4.00		SWSESW	6	7S	8W	BEAVERHEAD
<b>Total:</b>	4.00						

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 200 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 26048-00, 41B 92152-00, 41B 120776-00, 41B 127853-00, 41B 127854-00, 41B 30046386-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 128049-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** DONALD A DALLASERRA  
9225 HWY 91 N  
DILLON, MT 59725 8504

EDWARD J DALLASERRA  
9225 HWY 91 N  
DILLON, MT 59725 8504

**Priority Date:** FEBRUARY 5, 1944

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 10.27 CFS

PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 842.00

**Source Name:** BLOMQUIST SPRINGS

**Source Type:** GROUNDWATER

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SENE	2	6S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DEVELOPED SPRING

\*Reservoir: OFFSTREAM Reservoir Name: BLOMQUIST RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	N2	1	6S	9W	BEAVERHEAD
<b>Diversion to Reservoir:</b>	DIVERSION # 1				
<b>Dam Height:</b>	12.00 FEET				
<b>Surface Area:</b>	18.70 ACRES				
<b>Capacity:</b>	81.40 ACRE-FEET				

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

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	620.00			31	5S	8W	BEAVERHEAD
2	148.00		NE	1	6S	9W	BEAVERHEAD
3	40.00		NENW	1	6S	9W	BEAVERHEAD
4	26.00		NWNW	1	6S	9W	BEAVERHEAD
5	8.00		N2N2SE	1	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>842.00</b>						

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.

128049-00 128050-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128049-00 88178-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/05/1994: FLOW RATE, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

AERIAL PHOTOGRAPH NO(S). CXM-2FF-98, CXM-2FF-170 , DATED 07/31/1965 , APPEARS TO INDICATE 669.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\***

**THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D ) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.**

**FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number: 41D 128050-00 STATEMENT OF CLAIM**

**Version: 1 -- ORIGINAL RIGHT**

**Status: ACTIVE**

**Owners:** DONALD A DALLASERRA  
9225 HWY 91 N  
DILLON, MT 59725 8504

EDWARD J DALLASERRA  
9225 HWY 91 N  
DILLON, MT 59725 8504

**Priority Date:** JULY 30, 1900

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 15.00 CFS

CASE NO. 1325, BEAVERHEAD COUNTY, DECREED DEFENDANTS ORLANDO MAST, GEORGE T. MAST AND PETER G. NELSON EACH AN UNDIVIDED 1/3 INTEREST IN THE WATERS CONVEYED FROM WILLOW CREEK BY THE MAST-NELSON DITCH. SUPPLEMENTAL DECREE TO CASE 1325, DECREED AN ADDITIONAL 300 MINERS INCHES CONVEYED VIA THE MAST-NELSON DITCH. THUS THE TOTAL RIGHT IS FOR 600 MINERS INCHES.

**Volume:** 2,552.04 AC-FT

**Climatic Area: 3 - MODERATE**

**Maximum Acres:** 850.68  
**Source Name:** DUBOIS CREEK  
**Source Type:** SURFACE WATER  
 ALSO KNOWN AS MIDDLE FORK WILLOW CREEK

**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		SWNWNE	25	4S	11W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 1  
**Diversion Means:** HEADGATE  
**Ditch Name:** MAST DITCH

BIRCH CREEK IS USED AS A NATURAL CARRIER FOR WATER DIVERTED FROM DUBOIS CREEK TO A SECONDARY DIVERSION LOCATED IN THE NWSESW OF SEC 19, TWP 05S, RGE 09W (BEAVERHEAD WATER CO DITCH). WATER IS THEN DIVERTED AT THE NENESE OF SEC 19 INTO THE WILLOW CREEK DITCH AND CONVEYED TO BLOMQUIST RESERVOIR WHERE WATER IS DIVERTED IN THE SWNWNE OF SEC 1, TWP 06S, RGE 09W, TO THE PLACE OF USE.

**Reservoir:** OFFSTREAM **Reservoir Name:** BLOMQUIST RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2W2NE	1	6S	9W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 1  
**Dam Height:** 12.00 FEET  
**Surface Area:** 33.00 ACRES  
**Capacity:** 81.40 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**Period of Use:** APRIL 1 TO NOVEMBER 1

**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	628.68			31	5S	8W	BEAVERHEAD
2	148.00		NE	1	6S	9W	BEAVERHEAD
3	40.00		NENW	1	6S	9W	BEAVERHEAD
4	26.00		NWNW	1	6S	9W	BEAVERHEAD
5	8.00		N2N2SE	1	6S	9W	BEAVERHEAD
<b>Total:</b>	<b>850.68</b>						

**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.

128049-00 128050-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 600 MINER'S INCHES DECREED IN CASE NO. 1325 , BEAVERHEAD COUNTY. 88463-00, 128050-00.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-170 , DATED 07/31/1965 , APPEARS TO INDICATE 380.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 128091-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** WITHDRAWN

**Owners:** CHARLES L REBICH  
23700 MT HIGHWAY 278  
DILLON, MT 59725 9649

**Priority Date:**

**Enforceable Priority Date:**

**Type of Historical Right:**

**Purpose (use):** DOMESTIC

**Flow Rate:**

**Volume:**

**Source Name:** WILLOW SPRINGS

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 04/17/1998.

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 128105-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** GARTH L HAUGLAND  
4565 HWY 41N  
DILLON, MT 59725

RUTH V HAUGLAND  
4375 HWY 41N  
DILLON, MT 59725

**Priority Date:** MAY 15, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 139.10 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 6.04

**Source Name:** STODDEN SLOUGH

**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		NESWSE	4	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 15 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** BURFIEND-DAVIS DITCH

**Period of Use:** MAY 15 TO SEPTEMBER 15



**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	0.54		SWNWSE	34	6S	8W	BEAVERHEAD
2	2.50		NESWSE	34	6S	8W	BEAVERHEAD
3	3.00		NWSWSE	34	6S	8W	BEAVERHEAD
<b>Total:</b>	6.04						

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 500 MINER'S INCHES DECREED IN CASE NO. 1053 , BEAVERHEAD COUNTY. 41B 27436-00, 41B 49966-00, 41B 88082-00, 41B 88412-00, 41B 88416-00, 41B 88751-00, 41B 88752-00, 41B 88891-00, 41B 88926-00, 41B 128105-00, 41B 132612-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 23.00 GPM PER ACRE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 128106-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

DAWN JENSEN  
43 FOX FARM RD  
DILLON, MT 59725 9468

TRAVIS JENSEN  
43 FOX FARM RD  
DILLON, MT 59725 9468

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** AUGUST 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 22.44 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1.13

**Source Name:** BEAVERHEAD RIVER

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** GUIDICI DITCH

**Period of Use:** APRIL 1 TO OCTOBER 1

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.13		SESESW	6	7S	8W	BEAVERHEAD
<b>Total:</b>	1.13						

THE PLACE OF USE IS PARCEL NO. 2, CERTIFICATE OF SURVEY NO. 112.

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 450 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 4552-00, 41B 26049-00, 41B 32457-00, 41B 36179-00, 41B 88381-00, 41B 88685-00, 41B 88808-00, 41B 88809-00, 41B 88810-00, 41B 92153-00, 41B 120775-00, 41B 128106-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 20.00 GPM PER ACRE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 128107-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

BRAD BACON  
495 SULLIVAN LN  
DILLON, MT 59725 8221

ELIZABETH G WEBER  
1800 CATTLE DR  
DILLON, MT 59725

FRED K WEBER  
1800 CATTLE DR  
DILLON, MT 59725

SHERRI BACON  
495 SULLIVAN LN  
DILLON, MT 59725 8221

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 15, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 112.20 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

Climatic Area: 3 - MODERATE

Maximum Acres: 3.79  
Source Name: BEAVERHEAD RIVER  
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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	7	7S	8W	BEAVERHEAD

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: DAM

Ditch Name: PORCH-ENNIS DITCH

Period of Use: APRIL 1 TO OCTOBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.79		NENWNE	5	7S	8W	BEAVERHEAD
<b>Total:</b>	3.79						

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 65 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 15225-00, 41B 88081-00, 41B 88271-00, 41B 88279-00, 41B 88688-00, 41B 88779-00, 41B 88813-00, 41B 113696-00, 41B 127849-00, 41B 128107-00, 41B 132391-00, 41B 133627-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 30.00 GPM PER ACRE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 128116-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** HRL INC  
19200 MT HIGHWAY 278  
DILLON, MT 59725 9768

**Priority Date:** JULY 1, 1863

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 17.50 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 2,253.00

**Source Name:** BUFFALO CREEK

**Source Type:** SURFACE WATER  
ALSO KNOWN AS SOUTH FORK

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SE	SESW	15	7S 12W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

2		SE	SENE	21	7S 12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

3		SE	SENE	28	7S 12W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**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>
4		SWSE	28	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
5		NESE	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
6		SWSW	29	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
7		SENE	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
8		NESW	31	7S	12W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
9		SWSE	2	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
10		SWNE	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
11		NESW	11	8S	13W	BEAVERHEAD
<b>Period of Diversion:</b> APRIL 1 TO OCTOBER 1						
<b>Diversion Means:</b> HEADGATE						
<b>Period of Use:</b> APRIL 1 TO OCTOBER 1						

**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	76.00		S2	15	7S	12W	BEAVERHEAD
2	33.00		SESE	20	7S	12W	BEAVERHEAD
3	78.00		NE	21	7S	12W	BEAVERHEAD
4	151.00		SE	21	7S	12W	BEAVERHEAD
5	87.00		SW	21	7S	12W	BEAVERHEAD
6	17.00		NE	22	7S	12W	BEAVERHEAD
7	4.00		SE	22	7S	12W	BEAVERHEAD
8	284.00		W2	22	7S	12W	BEAVERHEAD
9	99.00		W2	27	7S	12W	BEAVERHEAD
10	464.00			28	7S	12W	BEAVERHEAD
11	191.00		N2	29	7S	12W	BEAVERHEAD
12	285.00		S2	29	7S	12W	BEAVERHEAD
13	22.00		SESE	30	7S	12W	BEAVERHEAD
14	92.00		NE	31	7S	12W	BEAVERHEAD
15	82.00		NE	32	7S	12W	BEAVERHEAD
16	24.00		NW	33	7S	12W	BEAVERHEAD
17	30.00		SW	1	8S	13W	BEAVERHEAD



**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>
18	146.00		W	2	8S	13W	BEAVERHEAD
19	47.00		E	2	8S	13W	BEAVERHEAD
20	41.00		NW	12	8S	13W	BEAVERHEAD
<b>Total:</b>	<b>2,253.00</b>						

**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.

111294-00 111295-00 111296-00 111297-00 111298-00 111299-00 111300-00  
111301-00 111302-00 111303-00 111304-00 111305-00 111311-00 111312-00  
111313-00 111314-00 111315-00 128116-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/19/1996: MAXIMUM ACRES AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/25/09: POINT OF DIVERSION, PLACE OF USE, MAX ACRES.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132383-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** COTTOM SEED INC  
PO BOX 445  
DILLON, MT 59725 0445

WILLIAM M COTTOM  
534 S DAKOTA ST  
DILLON, MT 59725

**Priority Date:** JANUARY 1, 1913

**Type of Historical Right:** FILED

**Purpose(use):** DOMESTIC

**Flow Rate:** 10.00 GPM

**\*Volume:** 5.00 AC-FT

**Households:** 1

**Maximum Acres:** 2.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**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		NWSWNW	30	7S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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	2.00		NWSWNW	30	7S	8W	BEAVERHEAD

**Total:** 2.00

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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132384-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** COTTOM SEED INC  
PO BOX 445  
DILLON, MT 59725 0445

WILLIAM M COTTOM  
534 S DAKOTA ST  
DILLON, MT 59725

**Priority Date:** JANUARY 1, 1936

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 1.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 185.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**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		SWNWNW	31	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO OCTOBER 31

**Diversion Means:** WELL

**Period of Use:** MAY 1 TO OCTOBER 31

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	30.00		SE	30	7S	8W	BEAVERHEAD
2	40.00		SW	30	7S	8W	BEAVERHEAD
3	15.00		NE	30	7S	8W	BEAVERHEAD
4	40.00		NW	30	7S	8W	BEAVERHEAD
5	35.00		SW	30	7S	8W	BEAVERHEAD
6	25.00		NW	31	7S	8W	BEAVERHEAD
<b>Total:</b>	185.00						

Remarks:

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS HAVE STATED DIFFERENT FLOW RATES. IT APPEARS THE FLOW RATE SHOULD BE THE CAPACITY OF THE PUMP. 132384-00, 132386-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132385-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** COTTOM SEED INC  
PO BOX 445  
DILLON, MT 59725 0445

WILLIAM M COTTOM  
534 S DAKOTA ST  
DILLON, MT 59725

**Priority Date:** JANUARY 1, 1935

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 5.00 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**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		NWSWNW	30	7S	8W	BEAVERHEAD

**Period of Diversion:** NOVEMBER 1 TO APRIL 30

**Diversion Means:** WELL

**Period of Use:** NOVEMBER 1 TO APRIL 30

**\*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			NWSWNW	30	7S	8W	BEAVERHEAD

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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132386-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** COTTOM SEED INC  
PO BOX 445  
DILLON, MT 59725 0445

WILLIAM M COTTOM  
534 S DAKOTA ST  
DILLON, MT 59725

**Priority Date:** JANUARY 1, 1936

**Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 5.00 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**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		SWNWNW	31	7S	8W	BEAVERHEAD

**Period of Diversion:** NOVEMBER 1 TO APRIL 30

**Diversion Means:** WELL

**Period of Use:** NOVEMBER 1 TO APRIL 30

**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			SWNWNW	31	7S	8W	BEAVERHEAD



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**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS HAVE STATED DIFFERENT FLOW RATES. IT APPEARS THE FLOW RATE SHOULD BE THE CAPACITY OF THE PUMP. 132386-00, 132384-00.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132387-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** CRAIG J HANSEN  
878 LAKNAR LN  
DILLON, MT 59725 8898

**\*Priority Date:** DECEMBER 31, 1927

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** BEAVERHEAD RIVER

**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		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

2		N2NW	8	7S	8W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 31

**\*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			N2NW	8	7S	8W	BEAVERHEAD
2			S2NW	8	7S	8W	BEAVERHEAD

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132388-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Status:** ACTIVE

**Owners:** CRAIG J HANSEN  
878 LAKNAR LN  
DILLON, MT 59725 8898

**\*Priority Date:** DECEMBER 31, 1927

**Type of Historical Right:** USE

**\*Purpose(use):** MULTIPLE DOMESTIC

**Flow Rate:** 12.00 GPM

**Volume:** 10.00 AC-FT

**Households:** 2

**Maximum Acres:** 2.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**\*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		NWSE	8	7S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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	2.00		NWSE	8	7S	8W	BEAVERHEAD
<b>Total:</b>	2.00						

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE CLAIMED VOLUME EXCEEDS THE 8.0 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132389-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

CRAIG J HANSEN  
878 LAKNAR LN  
DILLON, MT 59725 8898

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** JULY 5, 1887

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 1.12 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 113.61

**Source Name:** BEAVERHEAD RIVER

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** MARCH 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** MARCH 1 TO NOVEMBER 1

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.50		NENENE	7	7S	8W	BEAVERHEAD
2	40.00		NENW	8	7S	8W	BEAVERHEAD
3	33.11		NWNW	8	7S	8W	BEAVERHEAD
4	40.00		SENW	8	7S	8W	BEAVERHEAD

**Total:** 113.61

**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.

132389-00 132390-00 132391-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

USDA AERIAL PHOTOGRAPH NO(S). 779-242 , DATED 09/17/1979 , APPEARS TO INDICATE 65.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-90 , DATED 07/31/1965 , APPEARS TO INDICATE 68.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132390-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

CRAIG J HANSEN  
878 LAKNAR LN  
DILLON, MT 59725 8898

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 1, 1884

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 1.12 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 113.61

**Source Name:** BEAVERHEAD 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		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** MARCH 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** MARCH 1 TO NOVEMBER 1

**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	0.50		NENENE	7	7S	8W	BEAVERHEAD
2	40.00		NENW	8	7S	8W	BEAVERHEAD
3	33.11		NWNW	8	7S	8W	BEAVERHEAD
4	40.00		SENW	8	7S	8W	BEAVERHEAD

**Total:** 113.61

**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.

132389-00 132390-00 132391-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 120 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 15224-00, 41B 88270-00, 41B 88276-00, 41B 103158-00, 41B 121013-00, 41B 132390-00.

USDA AERIAL PHOTOGRAPH NO(S). 779-242 , DATED 09/17/1979 , APPEARS TO INDICATE 65.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-90 , DATED 07/31/1965 , APPEARS TO INDICATE 68.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132391-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

CRAIG J HANSEN  
878 LAKNAR LN  
DILLON, MT 59725 8898

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 15, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 1.48 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 113.61

**Source Name:** BEAVERHEAD 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		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** MARCH 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** MARCH 1 TO NOVEMBER 1

**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	0.50		NENENE	7	7S	8W	BEAVERHEAD
2	40.00		NENW	8	7S	8W	BEAVERHEAD
3	33.11		NWNW	8	7S	8W	BEAVERHEAD
4	40.00		SEW	8	7S	8W	BEAVERHEAD

**Total:** 113.61

**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.

132389-00 132390-00 132391-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 65 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 15225-00, 41B 88081-00, 41B 88271-00, 41B 88279-00, 41B 88688-00, 41B 88779-00, 41B 88813-00, 41B 113696-00, 41B 127849-00, 41B 128107-00, 41B 132391-00, 41B 133627-00.

USDA AERIAL PHOTOGRAPH NO(S). 779-242 , DATED 09/17/1979 , APPEARS TO INDICATE 65.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-90 , DATED 07/31/1965 , APPEARS TO INDICATE 68.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132407-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JENNY J PETERSON  
97 REBICH LN  
DILLON, MT 59725 7397

JESSE D PETERSON  
97 REBICH LN  
DILLON, MT 59725 7397

**Priority Date:** JANUARY 1, 1910

**\*Type of Historical Right:** FILED

**\*Purpose(use):** MULTIPLE DOMESTIC

**Flow Rate:** 5.00 GPM

**Volume:** 3.00 AC-FT

**Households:** 2

**Maximum Acres:** 0.50

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**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		NESWSW	33	7S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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	0.50		NESWSW	33	7S	9W	BEAVERHEAD

**Total:** 0.50

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**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE PLACE OF USE APPEARS TO BE OWNED BY JENNY AND JESSE PETERSON.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132408-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JENNY J PETERSON  
97 REBICH LN  
DILLON, MT 59725 7397

JESSE D PETERSON  
97 REBICH LN  
DILLON, MT 59725 7397

**Priority Date:** JULY 1, 1930

**\*Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 275.00 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 40.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	NESW	33	7S	9W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO OCTOBER 1

**Diversion Means:** WELL

**Period of Use:** MAY 1 TO OCTOBER 1

**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	40.00		SESW	33	7S	9W	BEAVERHEAD
<b>Total:</b>	40.00						

**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.

132408-00 7376-00 7377-00 88397-00

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

132408-00 42711-00 7376-00 7377-00 88397-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

132408-00 132410-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE PLACE OF USE APPEARS TO BE OWNED BY JENNY AND JESSE PETERSON.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132409-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JENNY J PETERSON  
97 REBICH LN  
DILLON, MT 59725 7397

JESSE D PETERSON  
97 REBICH LN  
DILLON, MT 59725 7397

**Priority Date:** JANUARY 1, 1910

**\*Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 5.00 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**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		NESWSW	33	7S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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			SW	33	7S	9W	BEAVERHEAD

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**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE PLACE OF USE APPEARS TO BE OWNED BY JENNY AND JESSE PETERSON.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132410-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** JENNY J PETERSON  
97 REBICH LN  
DILLON, MT 59725 7397

JESSE D PETERSON  
97 REBICH LN  
DILLON, MT 59725 7397

**\*Priority Date:** JULY 1, 1930

**\*Type of Historical Right:** FILED

**Purpose(use):** STOCK

**Flow Rate:** 5.00 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**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		SWNESW	33	7S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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			SW	33	7S	9W	BEAVERHEAD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

132408-00 132410-00

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE PLACE OF USE APPEARS TO BE OWNED BY JENNY AND JESSE PETERSON.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132441-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** DECEMBER 27, 1961

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 2.93 CFS

**\*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:** 953.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER  
ALSO KNOWN AS WELL NO. 12

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	NE	SE	32	8S	8W BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** WELL

**Period of Use:** APRIL 1 TO OCTOBER 31

**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	37.00		NE	29	8S	8W	BEAVERHEAD
2	110.00		NW	29	8S	8W	BEAVERHEAD
3	78.00		SE	29	8S	8W	BEAVERHEAD
4	160.00		SW	29	8S	8W	BEAVERHEAD
5	113.00		NE	30	8S	8W	BEAVERHEAD
6	41.00		NW	30	8S	8W	BEAVERHEAD
7	88.00		SE	30	8S	8W	BEAVERHEAD
8	36.00		NE	31	8S	8W	BEAVERHEAD
9	100.00		NE	32	8S	8W	BEAVERHEAD
10	155.00		NW	32	8S	8W	BEAVERHEAD
11	25.00		SE	32	8S	8W	BEAVERHEAD
12	10.00		SW	32	8S	8W	BEAVERHEAD
<b>Total:</b>	<b>953.00</b>						

**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.

132441-00	132442-00	132443-00	132444-00	132445-00	132446-00	88197-00
88198-00	88207-00	88209-00	88473-00	88474-00	88475-00	88476-00
88477-00	88478-00	88479-00	88480-00	88481-00	88482-00	88483-00
88484-00	88485-00	88486-00	88488-00	88489-00	88492-00	88493-00
88494-00	88496-00	88497-00	88498-00	88499-00	88500-00	88501-00
88502-00	88504-00	88510-00	88530-00	88536-00	88537-00	88545-00
88547-00	88548-00	88549-00	88550-00	88551-00	88552-00	88576-00
88577-00	88578-00	88580-00	88581-00	88582-00	88584-00	88585-00
88589-00	88590-00	88591-00	88592-00	88593-00	88594-00	88595-00
88596-00	88599-00					

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**



**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132442-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** DECEMBER 28, 1962

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 4.01 CFS

**\*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:** 801.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER  
ALSO KNOWN AS WELL NO. 13

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	W	SWSE	29	8S	8W BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** WELL

**Period of Use:** APRIL 1 TO OCTOBER 31

**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	71.00		NE	29	8S	8W	BEAVERHEAD
2	133.00		NW	29	8S	8W	BEAVERHEAD
3	77.00		SE	29	8S	8W	BEAVERHEAD
4	88.00		SW	29	8S	8W	BEAVERHEAD
5	120.00		NE	30	8S	8W	BEAVERHEAD
6	74.00		NW	30	8S	8W	BEAVERHEAD
7	99.00		NE	32	8S	8W	BEAVERHEAD
8	63.00		NW	32	8S	8W	BEAVERHEAD
9	55.00		SE	32	8S	8W	BEAVERHEAD
10	21.00		NESW	32	8S	8W	BEAVERHEAD
<b>Total:</b>	<b>801.00</b>						

**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.

132441-00	132442-00	132443-00	132444-00	132445-00	132446-00	88197-00
88198-00	88207-00	88209-00	88473-00	88474-00	88475-00	88476-00
88477-00	88478-00	88479-00	88480-00	88481-00	88482-00	88483-00
88484-00	88485-00	88486-00	88488-00	88489-00	88492-00	88493-00
88494-00	88496-00	88497-00	88498-00	88499-00	88500-00	88501-00
88502-00	88504-00	88510-00	88530-00	88536-00	88537-00	88545-00
88547-00	88548-00	88549-00	88550-00	88551-00	88552-00	88576-00
88577-00	88578-00	88580-00	88581-00	88582-00	88584-00	88585-00
88589-00	88590-00	88591-00	88592-00	88593-00	88594-00	88595-00
88596-00	88599-00					

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132443-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** DECEMBER 17, 1962

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 4.01 CFS

**\*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:** 958.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER  
ALSO KNOWN AS WELL NO. 14

**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		NWNWSE	32	8S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** WELL

**Period of Use:** APRIL 1 TO OCTOBER 31

**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	68.00		NE	29	8S	8W	BEAVERHEAD
2	135.00		NW	29	8S	8W	BEAVERHEAD
3	78.00		SE	29	8S	8W	BEAVERHEAD
4	160.00		SW	29	8S	8W	BEAVERHEAD
5	41.00		NE	30	8S	8W	BEAVERHEAD
6	41.00		NW	30	8S	8W	BEAVERHEAD
7	85.00		SE	30	8S	8W	BEAVERHEAD
8	18.00		NE	31	8S	8W	BEAVERHEAD
9	95.00		NE	32	8S	8W	BEAVERHEAD
10	152.00		NW	32	8S	8W	BEAVERHEAD
11	60.00		SE	32	8S	8W	BEAVERHEAD
12	25.00		SW	32	8S	8W	BEAVERHEAD
<b>Total:</b>	<b>958.00</b>						

**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.

132441-00	132442-00	132443-00	132444-00	132445-00	132446-00	88197-00
88198-00	88207-00	88209-00	88473-00	88474-00	88475-00	88476-00
88477-00	88478-00	88479-00	88480-00	88481-00	88482-00	88483-00
88484-00	88485-00	88486-00	88488-00	88489-00	88492-00	88493-00
88494-00	88496-00	88497-00	88498-00	88499-00	88500-00	88501-00
88502-00	88504-00	88510-00	88530-00	88536-00	88537-00	88545-00
88547-00	88548-00	88549-00	88550-00	88551-00	88552-00	88576-00
88577-00	88578-00	88580-00	88581-00	88582-00	88584-00	88585-00
88589-00	88590-00	88591-00	88592-00	88593-00	88594-00	88595-00
88596-00	88599-00					

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132444-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** MARCH 3, 1964

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.72 CFS

**\*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:** 1,503.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER  
ALSO KNOWN AS WELL NO. 15

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSE	7		9S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** WELL

**Period of Use:** APRIL 1 TO OCTOBER 31



**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	41.00		NE	29	8S	8W	BEAVERHEAD
2	81.00		NW	29	8S	8W	BEAVERHEAD
3	78.00		SE	29	8S	8W	BEAVERHEAD
4	160.00		SW	29	8S	8W	BEAVERHEAD
5	41.00		NE	30	8S	8W	BEAVERHEAD
6	41.00		NW	30	8S	8W	BEAVERHEAD
7	81.00		SE	30	8S	8W	BEAVERHEAD
8	18.00		NE	31	8S	8W	BEAVERHEAD
9	96.00		NE	32	8S	8W	BEAVERHEAD
10	160.00		NW	32	8S	8W	BEAVERHEAD
11	90.00		SE	32	8S	8W	BEAVERHEAD
12	150.00		SW	32	8S	8W	BEAVERHEAD
13	100.00		NE	5	9S	8W	BEAVERHEAD
14	100.00		NW	5	9S	8W	BEAVERHEAD
15	67.00		SE	5	9S	8W	BEAVERHEAD
16	90.00		SW	5	9S	8W	BEAVERHEAD
17	5.00		SE	6	9S	8W	BEAVERHEAD
18	62.00		NE	7	9S	8W	BEAVERHEAD
19	13.00		SE	7	9S	8W	BEAVERHEAD
20	29.00		NW	8	9S	8W	BEAVERHEAD

**Total:** 1,503.00

**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.

132441-00	132442-00	132443-00	132444-00	132445-00	132446-00	88197-00
88198-00	88207-00	88209-00	88473-00	88474-00	88475-00	88476-00
88477-00	88478-00	88479-00	88480-00	88481-00	88482-00	88483-00
88484-00	88485-00	88486-00	88488-00	88489-00	88492-00	88493-00
88494-00	88496-00	88497-00	88498-00	88499-00	88500-00	88501-00
88502-00	88504-00	88510-00	88530-00	88536-00	88537-00	88545-00
88547-00	88548-00	88549-00	88550-00	88551-00	88552-00	88576-00
88577-00	88578-00	88580-00	88581-00	88582-00	88584-00	88585-00
88589-00	88590-00	88591-00	88592-00	88593-00	88594-00	88595-00
88596-00	88599-00					

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132445-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** JULY 31, 1964

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.19 CFS

**\*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:** 1,503.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER  
ALSO KNOWN AS WELL NO. 16

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSE	7		9S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** WELL

**Period of Use:** APRIL 1 TO OCTOBER 31

**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	41.00		NE	29	8S	8W	BEAVERHEAD
2	41.00		NE	29	8S	8W	BEAVERHEAD
3	81.00		NW	29	8S	8W	BEAVERHEAD
4	78.00		SE	29	8S	8W	BEAVERHEAD
5	160.00		SW	29	8S	8W	BEAVERHEAD
6	41.00		NW	30	8S	8W	BEAVERHEAD
7	81.00		SE	30	8S	8W	BEAVERHEAD
8	18.00		NE	31	8S	8W	BEAVERHEAD
9	96.00		NE	32	8S	8W	BEAVERHEAD
10	160.00		NW	32	8S	8W	BEAVERHEAD
11	90.00		SE	32	8S	8W	BEAVERHEAD
12	150.00		SW	32	8S	8W	BEAVERHEAD
13	100.00		NE	5	9S	8W	BEAVERHEAD
14	100.00		NW	5	9S	8W	BEAVERHEAD
15	67.00		SE	5	9S	8W	BEAVERHEAD
16	90.00		SW	5	9S	8W	BEAVERHEAD
17	5.00		SE	6	9S	8W	BEAVERHEAD
18	62.00		NE	7	9S	8W	BEAVERHEAD
19	13.00		SE	7	9S	8W	BEAVERHEAD
20	29.00		NW	8	9S	8W	BEAVERHEAD

**Total:** 1,503.00

**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.

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88198-00	88207-00	88209-00	88473-00	88474-00	88475-00	88476-00
88477-00	88478-00	88479-00	88480-00	88481-00	88482-00	88483-00
88484-00	88485-00	88486-00	88488-00	88489-00	88492-00	88493-00
88494-00	88496-00	88497-00	88498-00	88499-00	88500-00	88501-00
88502-00	88504-00	88510-00	88530-00	88536-00	88537-00	88545-00
88547-00	88548-00	88549-00	88550-00	88551-00	88552-00	88576-00
88577-00	88578-00	88580-00	88581-00	88582-00	88584-00	88585-00
88589-00	88590-00	88591-00	88592-00	88593-00	88594-00	88595-00
88596-00	88599-00					

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 03/16/2009.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132446-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725 9552

**Priority Date:** JULY 31, 1964

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.73 CFS

**\*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:** 1,503.00

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER  
ALSO KNOWN AS WELL NO. 17

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	7		9S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** WELL

WATER DIVERTED FROM WELL NO. 17 IS CONVEYED TO SHEEP CREEK WHICH IS USED AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

**Period of Use:** APRIL 1 TO OCTOBER 31

**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	41.00		NE	29	8S	8W	BEAVERHEAD
2	81.00		NW	29	8S	8W	BEAVERHEAD
3	78.00		SE	29	8S	8W	BEAVERHEAD
4	160.00		SW	29	8S	8W	BEAVERHEAD
5	41.00		NE	30	8S	8W	BEAVERHEAD
6	41.00		NW	30	8S	8W	BEAVERHEAD
7	81.00		SE	30	8S	8W	BEAVERHEAD
8	18.00		NE	31	8S	8W	BEAVERHEAD
9	96.00		NE	32	8S	8W	BEAVERHEAD
10	160.00		NW	32	8S	8W	BEAVERHEAD
11	90.00		SE	32	8S	8W	BEAVERHEAD
12	150.00		SW	32	8S	8W	BEAVERHEAD
13	100.00		NE	5	9S	8W	BEAVERHEAD
14	100.00		NW	5	9S	8W	BEAVERHEAD
15	67.00		SE	5	9S	8W	BEAVERHEAD
16	90.00		SW	5	9S	8W	BEAVERHEAD
17	5.00		SE	6	9S	8W	BEAVERHEAD
18	62.00		NE	7	9S	8W	BEAVERHEAD
19	13.00		SE	7	9S	8W	BEAVERHEAD
20	29.00		NW	8	9S	8W	BEAVERHEAD

**Total:** 1,503.00

**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.

132441-00	132442-00	132443-00	132444-00	132445-00	132446-00	88197-00
88198-00	88207-00	88209-00	88473-00	88474-00	88475-00	88476-00
88477-00	88478-00	88479-00	88480-00	88481-00	88482-00	88483-00
88484-00	88485-00	88486-00	88488-00	88489-00	88492-00	88493-00
88494-00	88496-00	88497-00	88498-00	88499-00	88500-00	88501-00
88502-00	88504-00	88510-00	88530-00	88536-00	88537-00	88545-00
88547-00	88548-00	88549-00	88550-00	88551-00	88552-00	88576-00
88577-00	88578-00	88580-00	88581-00	88582-00	88584-00	88585-00
88589-00	88590-00	88591-00	88592-00	88593-00	88594-00	88595-00
88596-00	88599-00					

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132447-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

CARL, STEPHEN R TRUST  
STEPHEN R CARL TRUSTEE  
4800 S LAKE PARK AVE #1201  
CHICAGO, IL 60615 2017

JERROLD CARL  
16 BRIDLEWOOD RD  
NORTHBROOK, IL 60062 4702

NO WINDFALL LLC  
226 OAK GROVE AVE  
ATHERTON, CA 94027 2218

SUSAN E COHEN  
16 BRIDLEWOOD RD  
NORTHBROOK, IL 60062 4702

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

**\*Priority Date:** DECEMBER 31, 1883

**Type of Historical Right:** USE

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.38 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 80.00

**Source Name:** BEAVERHEAD 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		NENSW	21	9S	10W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** MIDGE-HENNEBERRY DITCH

**Period of Use:** MAY 1 TO NOVEMBER 1

**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	3.00		SWNE	15	9S	10W	BEAVERHEAD
2	77.00		SW	15	9S	10W	BEAVERHEAD
<b>Total:</b>	80.00						

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/23/1996: MAXIMUM ACRES, PLACE OF USE.

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

AN AMENDMENT WAS SUBMITTED ON 02/10/2010 REQUESTING TO AMEND THE PLACE OF USE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 579-152, 579-154 , DATED 09/15/1979 , APPEARS TO INDICATE 55.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-026 , DATED 08/18/1965 , APPEARS TO INDICATE 48.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BEAVERHEAD RIVER WITH A PRIORITY DATE PREDATING CASE NO. 1053 BEAVERHEAD COUNTY.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132585-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** RUBY DELL RANCH  
% JAMES & TRACY ANDERSON  
PO BOX 101  
ALDER, MT 59710

**\*Priority Date:** DECEMBER 31, 1898

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** CARTER 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		SW	6	7S	7W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

2		N2	7	7S	7W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 31

**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			SW	6	7S	7W	BEAVERHEAD
2			N2	7	7S	7W	BEAVERHEAD

**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132586-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** RUBY DELL RANCH  
% JAMES & TRACY ANDERSON  
PO BOX 101  
ALDER, MT 59710

**\*Priority Date:** DECEMBER 31, 1900

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** HOFFMAN 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		E2	21	7S	7W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 TO DECEMBER 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			E2	21	7S	7W	BEAVERHEAD

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**Remarks:**

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

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**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132611-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** RUBY DELL RANCH  
% JAMES & TRACY ANDERSON  
PO BOX 101  
ALDER, MT 59710

**Priority Date:** APRIL 14, 1904

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 3.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 160.00

**Source Name:** CARTER 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		NWNWSW	8	7S	7W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO OCTOBER 15



**\*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	40.00		SESE	6	7S	7W	BEAVERHEAD
2	80.00		N2NE	7	7S	7W	BEAVERHEAD
3	40.00		SENE	7	7S	7W	BEAVERHEAD
<b>Total:</b>	160.00						

CLAIMANT PHONE INTERVIEW CONDUCTED ON 06/07/1990 INDICATED THE PLACE OF USE WAS LAST IRRIGATED AROUND 1960.

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 579-91 , DATED 09/13/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-1FF-134 , DATED 08/01/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE POINT OF DIVERSION HAS NOT BEEN USED FOR THE 10 CONSECUTIVE YEARS PRIOR TO JULY 1, 1973.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED NOTICE OF APPROPRIATION IS APRIL 27, 1904.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 132612-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** ANNA L COSSEL  
4585 MT HWY 41  
DILLON, MT 59725 7373

NORMAN L COSSEL  
4585 MT HWY 41  
DILLON, MT 59725 7373

**Priority Date:** MAY 15, 1879

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 139.13 GPM

**\*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:** 7.25

**Source Name:** BEAVERHEAD RIVER

**Source Type:** SURFACE WATER

ALSO KNOWN AS STODDEN SLOUGH

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWSE	4	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 15 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** MAY 15 TO SEPTEMBER 15

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	2.50		SENWSE	34	6S	8W	BEAVERHEAD
2	2.50		SWNWSE	34	6S	8W	BEAVERHEAD
3	2.00		NESWSE	34	6S	8W	BEAVERHEAD
4	0.25		NWSWSE	34	6S	8W	BEAVERHEAD
<b>Total:</b>	<b>7.25</b>						

Remarks:

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 500 MINER'S INCHES DECREED IN CASE NO. 1053 , BEAVERHEAD COUNTY. 41B 27436-00, 41B 49966-00, 41B 88092-00, 41B 88412-00, 41B 88416-00, 41B 88751-00, 41B 88752-00, 41B 88891-00, 41B 88926-00, 41B 128105-00, 41B 132612-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 19.00 GPM PER ACRE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 133575-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** GEORGE B REBICH  
1339 LAKNAR LN  
DILLON, MT 59725 8492

JANE E REBICH  
2905 LAKNAR LN  
DILLON, MT 59725 9496

**\*Priority Date:** MAY 1, 1881

**Type of Historical Right:** USE

**Purpose(use):** STOCK

**Flow Rate:** 35.00 GPM

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**\*Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**\*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		SWSWSW	5	7S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Period of Use:** JANUARY 1 TO DECEMBER 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			SWSW	5	7S	8W	BEAVERHEAD

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**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133575-00 133579-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 04/15/2009.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 133576-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

GEORGE B REBICH  
1339 LAKNAR LN  
DILLON, MT 59725 8492

JANE E REBICH  
2905 LAKNAR LN  
DILLON, MT 59725 9496

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** APRIL 15, 1886

**Type of Historical Right:** DECREED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**\*Source Name:** BEAVERHEAD RIVER

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSW	5	7S	8W	BEAVERHEAD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133576-00 133580-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 133577-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

GEORGE B REBICH  
1339 LAKNAR LN  
DILLON, MT 59725 8492

JANE E REBICH  
2905 LAKNAR LN  
DILLON, MT 59725 9496

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**\*Source Name:** BEAVERHEAD RIVER

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	7	7S	8W	BEAVERHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: PORCH-ENNIS DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWSW	5	7S	8W	BEAVERHEAD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133577-00 133581-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 133578-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

GEORGE B REBICH  
1339 LAKNAR LN  
DILLON, MT 59725 8492

JANE E REBICH  
2905 LAKNAR LN  
DILLON, MT 59725 9496

REBICH, GEORGE A ESTATE OF  
% JANE E REBICH  
2905 LAKNAR LN  
DILLON, MT 59725

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 15, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

Source Name: BEAVERHEAD 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		SWSWSE	7	7S	8W	BEAVERHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: SELWAY SLOUGH

Period of Use: JANUARY 1 TO DECEMBER 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			W2SW	5	7S	8W	BEAVERHEAD

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133578-00 133582-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 133579-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** GEORGE B REBICH  
1339 LAKNAR LN  
DILLON, MT 59725 8492

JANE E REBICH  
2905 LAKNAR LN  
DILLON, MT 59725 9496

**\*Priority Date:** MAY 1, 1881

**Type of Historical Right:** FILED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**\*Flow Rate:** 425.00 GPM

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 25.00

**\*Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	5		7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO OCTOBER 31

**Diversion Means:** WELL

**Period of Use:** MAY 1 TO OCTOBER 31

**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	25.00		SWSW	5	7S	8W	BEAVERHEAD
<b>Total:</b>	25.00						

**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.

133579-00 133580-00 133581-00 133582-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133575-00 133579-00

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 04/15/2009.

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**

**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 133580-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

FRED L REBISH  
1325 CLARK LN  
DILLON, MT 59725 8846

GEORGE B REBICH  
1339 LAKNAR LN  
DILLON, MT 59725 8492

JANE E REBICH  
2905 LAKNAR LN  
DILLON, MT 59725 9496

SUSAN S REBISH  
1325 CLARK LN  
DILLON, MT 59725 8846

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** APRIL 15, 1886

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 1.25 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 80.00

**\*Source Name:** BEAVERHEAD RIVER

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** PORCH-ENNIS DITCH

**Period of Use:** MAY 1 TO OCTOBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		W2	SW	5	7S	8W	BEAVERHEAD
<b>Total:</b>	80.00							

**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.

133579-00 133580-00 133581-00 133582-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133576-00 133580-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**



**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 133581-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

GEORGE B REBICH  
1339 LAKNAR LN  
DILLON, MT 59725 8492

JANE E REBICH  
2905 LAKNAR LN  
DILLON, MT 59725 9496

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 1, 1882

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 1.00 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 80.00

**\*Source Name:** BEAVERHEAD 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		NWSESE	7	7S	8W	BEAVERHEAD

Period of Diversion: MAY 1 TO OCTOBER 31  
Diversion Means: HEADGATE  
Ditch Name: PORCH-ENNIS DITCH  
Period of Use: MAY 1 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	80.00		W2SW	5	7S	8W	BEAVERHEAD
<b>Total:</b>	80.00						

**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.

133579-00 133580-00 133581-00 133582-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133577-00 133581-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 133582-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

GEORGE B REBICH  
1339 LAKNAR LN  
DILLON, MT 59725 8492

JANE E REBICH  
2905 LAKNAR LN  
DILLON, MT 59725 9496

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 15, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Flow Rate:** 1.05 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 80.00

**Source Name:** BEAVERHEAD RIVER

**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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	7	7S	8W	BEAVERHEAD

Period of Diversion: MAY 1 TO OCTOBER 31  
Diversion Means: HEADGATE  
Ditch Name: SELWAY SLOUGH  
Period of Use: MAY 1 TO OCTOBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		W2SW	5	7S	8W	BEAVERHEAD
<b>Total:</b>	80.00						

**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.

133579-00 133580-00 133581-00 133582-00

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133578-00 133582-00

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

**THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.**

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

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**PRELIMINARY DECREE  
BEAVERHEAD RIVER  
BASIN 41B  
ABSTRACT OF WATER RIGHT CLAIM**

**IMPORTANT NOTICE**

**YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.**

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**Water Right Number:** 41B 133627-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:**

KATHLEEN RIEBE  
1537 WEBSTER LN  
DILLON, MT 59725 8224

RUSSELL RIEBE  
1537 WEBSTER LN  
DILLON, MT 59725 8224

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 15, 1881

**Type of Historical Right:** DECREED

**Purpose(use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 112.20 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 5.00

**Source Name:** BEAVERHEAD 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		NWSESE	7	7S	8W	BEAVERHEAD

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: PORCH-ENNIS DITCH

Period of Use: APRIL 1 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	5.00		SWNE	5	7S	8W	BEAVERHEAD
	<u>Subdivision:</u>	TAYLOR WEBSTER TRACT/LOT: A					

Total: 5.00

**Remarks:**

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

**THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 65 MINER'S INCHES DECREED IN CASE NO. 828 , BEAVERHEAD COUNTY. 41B 15225-00, 41B 88081-00, 41B 88271-00, 41B 88279-00, 41B 88688-00, 41B 88779-00, 41B 88813-00, 41B 113696-00, 41B 127849-00, 41B 128107-00, 41B 132391-00, 41B 133627-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 22.00 GPM PER ACRE.

**A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.**

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."**

**SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.**