

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

# GENERAL ABSTRACT

**Water Right Number:** 41B 88015-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** BEAVERHEAD 7 UP RANCH INC  
6875 MT HWY 41  
DILLON, MT 59725-7303

**Priority Date:** JUNE 15, 1884

**Enforceable Priority Date:** JUNE 15, 1884

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 9.00 CFS

**Maximum 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:** 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		SWSE	4	7S	8W	BEAVERHEAD

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

**Diversion Means:** HEADGATE

**Ditch Name:** LOWER RIVER 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	15.00		NESE	22	6S	8W	BEAVERHEAD
2	35.00		SESE	22	6S	8W	BEAVERHEAD
3	20.00		SWSE	22	6S	8W	BEAVERHEAD
4	10.00		SESW	22	6S	8W	BEAVERHEAD
5	30.00		SWNE	23	6S	8W	BEAVERHEAD
6	15.00		SENE	23	6S	8W	BEAVERHEAD
7	35.00		NWSE	23	6S	8W	BEAVERHEAD
8	15.00		SWSE	23	6S	8W	BEAVERHEAD
9	40.00		NESE	23	6S	8W	BEAVERHEAD
10	35.00		NWSE	23	6S	8W	BEAVERHEAD
11	35.00		SESW	23	6S	8W	BEAVERHEAD
12	40.00		SWSW	23	6S	8W	BEAVERHEAD
<b>Total:</b>	<b>325.00</b>						

**Geocodes/Valid:** 18-0415-22-4-01-01-0000 - Y 18-0415-23-4-01-01-0000 - Y

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

88014-00 88015-00

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

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 360 MINER'S INCHES DECREED IN CASE NO. 1053, BEAVERHEAD COUNTY. 41B 88015-00, 41B 143046-00.

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**Remarks:**

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

USDA AERIAL PHOTOGRAPH NO(S). 597-137 , DATED 09/13/1979 , APPEARS TO INDICATE 232.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-1FF-107, CXM-2FF-118 , DATED 08/01/1965, 07/31/1965 , APPEARS TO INDICATE 232.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE SOURCE DESCRIBED IN CASE NO. 1053 , BEAVERHEAD COUNTY, IS INCONSISTENT WITH THE CLAIMED SOURCE.