

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: 41A 94805-00 STATEMENT OF CLAIM
Version: 2 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: LEMHI FRONTIER LLC
8000 LEMHI PASS RD
DILLON, MT 59725-8068

STOCKER RANCH LLC
3300 BLOODY DICK RD
DILLON, MT 59725-9704

HORSE PRAIRIE LIVESTOCK CO
4275 BLOODY DICK RD
DILLON, MT 59725-9799

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 1, 1883

Enforceable Priority Date: SEPTEMBER 1, 1883

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 426.36 GPM

Maximum 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: 1,183.00

Source Name: COYOTE 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	9S	14W	BEAVERHEAD

Period of Diversion: APRIL 1 TO NOVEMBER 15

Diversion Means: DIVERSION DAM

Ditch Name: BRENNER COYOTE CREEK DITCH NO. 1

2		NESWSW	13	9S	14W	BEAVERHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 15

Diversion Means: HEADGATE

Ditch Name: ENGLE DITCH NO. 1

3		NESWSE	24	9S	14W	BEAVERHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 15

Diversion Means: DIKE

4		SENENE	25	9S	14W	BEAVERHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 15

Diversion Means: DIKE

Period of Use: APRIL 1 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	7.00	3	W2NWSW	30	9S	13W	BEAVERHEAD
2	30.00	4	SWSW	30	9S	13W	BEAVERHEAD
3	3.00		W2NENW	31	9S	13W	BEAVERHEAD
4	37.00	1	NWNW	31	9S	13W	BEAVERHEAD
5	2.00		SWSESW	13	9S	14W	BEAVERHEAD
6	16.00		S2SWSW	13	9S	14W	BEAVERHEAD
7	234.00		E2	14	9S	14W	BEAVERHEAD
8	35.00		NENE	23	9S	14W	BEAVERHEAD

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>
9	4.00		NENWNE	23	9S	14W	BEAVERHEAD
10	16.00		E2SENE	23	9S	14W	BEAVERHEAD
11	7.00		SWSENE	23	9S	14W	BEAVERHEAD
12	23.00		NESE	23	9S	14W	BEAVERHEAD
13	3.00		SWSWNE	24	9S	14W	BEAVERHEAD
14	17.00		W2NWSE	24	9S	14W	BEAVERHEAD
15	35.00		SWSE	24	9S	14W	BEAVERHEAD
16	280.00		W2	24	9S	14W	BEAVERHEAD
17	293.00		E2	25	9S	14W	BEAVERHEAD
18	24.00		NENW	25	9S	14W	BEAVERHEAD
19	7.00		E2SENE	25	9S	14W	BEAVERHEAD
20	20.00		E2NESW	25	9S	14W	BEAVERHEAD
21	20.00		E2SESW	25	9S	14W	BEAVERHEAD
22	70.00		N2NE	36	9S	14W	BEAVERHEAD
Total:	1,183.00						

Geocodes/Valid:		
	18-0140-13-3-02-01-0000 - Y	18-0140-14-1-01-01-0000 - Y
	18-0140-23-1-01-01-0000 - Y	18-0140-24-2-01-01-0000 - Y
	18-0140-25-4-01-01-0000 - Y	18-0140-36-1-01-01-0000 - Y
	18-0141-30-3-02-01-0000 - Y	18-0141-31-1-01-01-0000 - 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.

94789-00	94790-00	94791-00	94792-00	94793-00	94794-00	94795-00
94796-00	94800-00	94801-00	94802-00	94803-00	94804-00	94805-00
94857-00	94876-00	94877-00	94886-00	94887-00	94888-00	94890-00
94894-00	94895-00	94897-00	120591-00	120592-00	120593-00	120594-00
120595-00	120596-00	120597-00	120598-00	120599-00	120600-00	30064951

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/06/1989.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/22/1987.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/28/1989.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/24/1995.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/08/1997.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 38856 RECEIVED 06/15/2006.

OWNERSHIP UPDATE TYPE 608 # 77757 RECEIVED 04/28/2010.

AN AMENDMENT WAS SUBMITTED ON 07/6/2007 . THE AMENDMENT WAS NOT IMPLEMENTED DUE TO DISAGREEMENT AMONG THE OWNERS OF RECORD.

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

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

USDA AERIAL PHOTOGRAPH NO(S). 979-100 , DATED 09/20/1979 , APPEARS TO INDICATE 1079.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-14P-91, CXM-14P-92 , DATED 08/09/1955 , APPEARS TO INDICATE 1065.30 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.