

**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 95174-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE  
**Version Status:** ACTIVE

**Owners:** MARTINELL, LEE CO  
PO BOX 240077  
DELL, MT 59724-0077

**Priority Date:** JULY 1, 1886

**Enforceable Priority Date:** JULY 1, 1886

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 40.87 CFS

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

**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:** 1,079.00

**Source Name:** RED ROCK 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		SENWSW	3	13S	9W	BEAVERHEAD

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

**Diversion Means:** HEADGATE

**Ditch Name:** FARRINGTON DITCH NO. 2

2		SWNESW	10	13S	9W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO JULY 1

**Diversion Means:** HEADGATE

**Ditch Name:** MARTINELL WEST-SIDE

3		SENWNE	15	13S	9W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO JULY 1

**Diversion Means:** HEADGATE

**Ditch Name:** MARTINELL-YOUNG

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

THIS RIGHT INCLUDES HIGH OR FLOOD WATERS OF RED ROCK RIVER.

**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	165.00		S2	33	12S	9W	BEAVERHEAD
2	200.00		N2	33	12S	9W	BEAVERHEAD
3	70.00		W2NW	34	12S	9W	BEAVERHEAD
4	135.00		NW	3	13S	9W	BEAVERHEAD
5	148.00		SW	3	13S	9W	BEAVERHEAD
6	29.00		W2SE	3	13S	9W	BEAVERHEAD
7	111.00		N2	4	13S	9W	BEAVERHEAD
8	49.00		SE	4	13S	9W	BEAVERHEAD
9	18.00		N2SW	10	13S	9W	BEAVERHEAD
10	124.00		NW	10	13S	9W	BEAVERHEAD
11	30.00		W2NE	10	13S	9W	BEAVERHEAD

**Total:** 1,079.00

**Geocodes/Valid:** 18-0045-03-2-01-01-0000 - Y      18-0045-04-1-01-01-0000 - Y  
18-0045-10-1-01-01-0000 - Y      18-0069-33-1-01-01-0000 - Y

18-0069-34-2-02-01-0000 - Y

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**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.

95130-00	95131-00	95132-00	95163-00	95164-00	95165-00	95166-00
95167-00	95172-00	95173-00	95174-00			

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