

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 95189-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: WILLIAM J MARTINELL
PO BOX 50
DELL, MT 59724-0050

Priority Date: SEPTEMBER 27, 1917

Enforceable Priority Date: SEPTEMBER 27, 1917

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 4.17 CFS

CASE NO. 3808, BEAVERHEAD COUNTY, SPECIFIES THE FEDERAL LAND BANK OF SPOKANE, AND ITS SUCCESSORS IN INTEREST, IS ENTITLED TO WITHDRAW FROM ALL OF SAID STREAMS (COTTONWOOD CREEK, NICHOLIA CREEK, UPPER SPRING CREEK, BEAR CREEK, MEADOW CREEK, AND ROCK CREEK) A QUANTITY OF WATER NOT EXCEEDING 840 MINER'S INCHES AT ANY GIVEN TIME.

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: 110.00

Source Name: ROCK 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		NENWNW	18	15S	10W	BEAVERHEAD

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	37.00		SENE	7	15S	10W	BEAVERHEAD
2	73.00		S2N2	8	15S	10W	BEAVERHEAD

Total: 110.00

Geocodes/Valid: 18-0010-07-1-01-01-0000 - Y 18-0010-08-1-01-01-0000 - Y

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.

95189-00 30104395

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/04/2012: PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, FLOW RATE, PERIOD OF USE.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/29/1986.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/07/1999.