

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 95190-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: WILLIAM J MARTINELL
PO BOX 240050
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: 2.00 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 MINERS 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: 29.00

Source Name: MEADOW 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	12	15S	11W	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	22.00		SWNW	7	15S	11W	BEAVERHEAD
2	7.00		SENE	12	15S	11W	BEAVERHEAD
Total:	29.00						

Geocodes/Valid: 18-0009-12-1-01-01-0000 - Y 18-0010-07-2-03-01-0000 - 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.

95190-00 30104393

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.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 31.00 GPM PER ACRE.