

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 95266-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** TERRILL D TODD  
190 TUKE LN  
TWIN BRIDGES, MT 59754-8705  
JULIENNE L TODD  
190 TUKE LN  
TWIN BRIDGES, MT 59754-8705

**Priority Date:** MAY 1, 1876  
**Enforceable Priority Date:** MAY 1, 1876

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Maximum Flow Rate:** 1.25 CFS

**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:** 50.00

**Source Name:** HORSE PRAIRIE CREEK  
**Source Type:** SURFACE WATER

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT DIVERSION NO(S) 1 IS DIVERTED FROM THE PAIMENT DITCH ALSO KNOWN AS HORSE PRAIRIE CREEK, SOUTH CHANNEL.

**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		SENE	33	9S	13W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 to OCTOBER 31

**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	50.00		N2NW	34	9S	13W	BEAVERHEAD

**Total:** 50.00

**Geocodes/Valid:** 18-0141-34-1-01-01-0000 - 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.

95264-00 95266-00 95275-00 30064192

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 03/04/2003.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/19/1988.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/04/1986.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/22/1994.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/02/1994.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/06/2000.

**OWNERSHIP UPDATE RECEIVED**

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**Remarks:**

OWNERSHIP UPDATE TYPE DOR # 98132 RECEIVED 04/10/2012.

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

USDA AERIAL PHOTOGRAPH NO(S). 1479-33 , DATED 07/16/1980 , APPEARS TO INDICATE 30.89 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-4FF-24 , DATED 08/07/1965 , APPEARS TO INDICATE 30.69 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SENENW SEC 32 TWP 9S RGE 13W BEAVERHEAD COUNTY.

NO TYPE OF IRRIGATION SYSTEM HAS BEEN CLAIMED. THE TYPE OF HISTORICAL IRRIGATION APPEARS TO HAVE BEEN A FLOOD SYSTEM.