

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 95267-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: CENTENNIAL LIVESTOCK INC
900 MANSFIELD LN
DILLON, MT 59725-9710

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, 1886

Enforceable Priority Date: MAY 1, 1886

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 9.75 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: 370.00

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</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	34	9S	13W	BEAVERHEAD

Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

Period of Use: APRIL 1 to NOVEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	90.00		NE	34	9S	13W	BEAVERHEAD
2	160.00		NE	35	9S	13W	BEAVERHEAD
3	120.00		NW	35	9S	13W	BEAVERHEAD
Total:	370.00						

Geocodes/Valid: 18-0141-34-1-01-01-0000 - Y 18-0141-35-1-01-01-0000 - 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.

95267-00 95292-00

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

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

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

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/17/1999.

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 16462 RECEIVED 07/08/2004.

OWNERSHIP UPDATE TYPE 608 # 26511 RECEIVED 11/14/2005.

OWNERSHIP UPDATE TYPE DOR # 101948 RECEIVED 04/10/2012.

AN AMENDMENT WAS SUBMITTED ON 01/10/2006 REQUESTING TO AMEND THE POINT OF DIVERSION, PLACE OF USE AND MAXIMUM ACRES. THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS THE DEEDS ARE UNCLEAR AS TO THE DISPOSITION OF THIS WATER RIGHT.

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

THE 04/10/2012 OWNERSHIP UPDATE OF THIS WATER RIGHT MAY BE QUESTIONABLE. IT IS UNCLEAR IF THIS RIGHT IS RESERVED TO ONE SPECIFIC OWNER OR IF THIS RIGHT SHOULD BE SPLIT.

AERIAL PHOTOGRAPH NO(S). CXM-4FF-37 , DATED 08/07/1965 , APPEARS TO INDICATE 277.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). BE-33, BE-35 , DATED 08/10/1970 , APPEARS TO INDICATE 279.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.