

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 95268-00 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:** AUGUST 1, 1893

**Enforceable Priority Date:** AUGUST 1, 1893

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.50 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:** 60.00

**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		SWNE	32	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	60.00		S2N2	33	9S	13W	BEAVERHEAD

**Total:** 60.00

**Geocodes/Valid:** 18-0141-33-1-01-01-0000 - Y

**Remarks:**

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 03/22/1994.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/06/2000.

**OWNERSHIP UPDATE RECEIVED**

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 23.38 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 23.38 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**Remarks:**

THE CLAIMED POINT OF DIVERSION IS NOT THE INITIAL POINT THAT WATER IS DIVERTED FROM THE SOURCE. THE INITIAL POINT CANNOT BE IDENTIFIED FROM AVAILABLE DATA.