

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: 41M 98392-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: STOLTZ RANCH
PO BOX 475
VALIER, MT 59486-0475

Priority Date: DECEMBER 15, 1929
Enforceable Priority Date: DECEMBER 15, 1929

Type of Historical Right: USE

Purpose (use): STOCK

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Maximum Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK
Source Type: SURFACE WATER

THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF BIRCH CREEK.

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Source Type: SURFACE WATER

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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		NWNE	22	30N	7W	PONDERA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: BIRCH CREEK
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		S2NE	22	30N	7W	PONDERA
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: BIRCH CREEK
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		N2NW	22	30N	7W	PONDERA
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4		SWNW	22	30N	7W	PONDERA
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

5		S2NE	23	30N	7W	PONDERA
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: BIRCH CREEK
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

6		S2NW	23	30N	7W	PONDERA
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: BIRCH CREEK
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
7		S2NW	24	30N	7W	PONDERA

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: BIRCH CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 to DECEMBER 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			NWNE	22	30N	7W	PONDERA
2			S2NE	22	30N	7W	PONDERA
3			N2NW	22	30N	7W	PONDERA
4			SWNW	22	30N	7W	PONDERA
5			S2NE	23	30N	7W	PONDERA
6			S2NW	23	30N	7W	PONDERA
7			S2NW	24	30N	7W	PONDERA

Geocodes/Valid: 26-4201-22-1-01-01-0000 - Y 26-4201-22-2-01-01-0000 - Y
26-4201-23-2-03-04-0000 - Y 26-4201-24-2-01-01-0000 - Y

Remarks:

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

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

IT IS NOT CLEAR WHETHER THIS CLAIM IS A STATE-BASED WATER RIGHT OR PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE BLACKFEET TRIBE - MONTANA COMPACT. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.