

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:** 41F 101051-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
WILLIAM OLDROYD  
C/O WITTICH, ARTHUR V  
602 FERGUSON AVE SUITE 5  
BOZEMAN, MT 59718  
  
PAMELA NAISBITT  
C/O WITTICH, ARTHUR V  
602 FERGUSON AVE SUITE 5  
BOZEMAN, MT 59718  
  
GREGG E BARNES  
6284 INGHAM RD  
NEW HOPE, PA 18938  
  
KATHERINE K BARNES  
6284 INGHAM RD  
NEW HOPE, PA 18938  
  
LISA R BARNES  
5284 INGHAM RD  
NEW HOPE, PA 18938  
  
A EVANS KEPHART  
6284 INGHAM RD  
NEW HOPE, PA 18938

**Priority Date:** MAY 28, 1913  
**Enforceable Priority Date:** MAY 28, 1913

**Type of Historical Right:** FILED

**Purpose (use):** STOCK

**Maximum Flow Rate:**

**Maximum Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING 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:** BUTTERMILK 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	22	13S	4E	GALLATIN

**Period of Diversion:** MAY 1 TO NOVEMBER 4

**Diversion Means:** HEADGATE

**Reservoir:** OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SENESE	21	13S	4E	GALLATIN

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** MAY 1 to NOVEMBER 4

**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			NESE	21	13S	4E	GALLATIN
2			NWSW	22	13S	4E	GALLATIN
3			E2SWSW	22	13S	4E	GALLATIN

**Geocodes/Valid:** 06-0061-21-4-20-01-0000 - Y      06-0061-22-3-01-10-0000 - Y  
06-0061-22-3-01-20-0000 - Y      06-0061-22-3-01-31-0000 - Y  
06-0061-22-3-01-40-0000 - Y      06-0061-22-3-01-50-0000 - Y

06-0061-22-3-02-01-0000 - Y

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**Remarks:**

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/14/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/03/93.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/21/00.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 2588 RECEIVED 11/23/2001.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.