

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 111102-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** JVC HPR LLC  
650 DUNDEE RD STE 380  
NORTHBROOK, IL 60062-2757

**Priority Date:** MAY 1, 1902  
**Enforceable Priority Date:** MAY 1, 1902

**Type of Historical Right:** USE

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

**Maximum Flow Rate:** 7.50 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:** 490.00

**Source Name:** WATSON CREEK, SOUTH FORK  
**Source Type:** SURFACE WATER

ALSO KNOWN AS PAINTER CREEK, EAST FORK

**Source Name:** BROWNS CREEK  
**Source Type:** SURFACE WATER

ALSO KNOWN AS PAINTER CREEK, EAST FORK

**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         |                 | SESWNW         | 28         | 8S         | 13W        | BEAVERHEAD    |

**Period of Diversion:** APRIL 10 TO OCTOBER 10  
**Source Name:** WATSON CREEK, SOUTH FORK  
**Diversion Means:** HEADGATE

|   |  |        |    |    |     |            |
|---|--|--------|----|----|-----|------------|
| 2 |  | NWNWNE | 32 | 8S | 13W | BEAVERHEAD |
|---|--|--------|----|----|-----|------------|

**Period of Diversion:** APRIL 10 TO OCTOBER 10  
**Source Name:** BROWNS CREEK  
**Diversion Means:** HEADGATE

**Period of Use:** APRIL 10 to OCTOBER 10

**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             | 1.00          |                 | SWSWSE         | 28         | 8S         | 13W        | BEAVERHEAD    |
| 2             | 87.00         |                 | SW             | 28         | 8S         | 13W        | BEAVERHEAD    |
| 3             | 47.00         |                 | S2SE           | 29         | 8S         | 13W        | BEAVERHEAD    |
| 4             | 46.00         |                 | E2NE           | 32         | 8S         | 13W        | BEAVERHEAD    |
| 5             | 69.00         |                 | W2NE           | 33         | 8S         | 13W        | BEAVERHEAD    |
| 6             | 160.00        |                 | NW             | 33         | 8S         | 13W        | BEAVERHEAD    |
| 7             | 40.00         |                 | NWSE           | 33         | 8S         | 13W        | BEAVERHEAD    |
| 8             | 40.00         |                 | NESW           | 33         | 8S         | 13W        | BEAVERHEAD    |
| <b>Total:</b> | <b>490.00</b> |                 |                |            |            |            |               |

**Geocodes/Valid:** 18-0236-28-3-01-01-0000 - Y 18-0236-29-4-03-01-0000 - Y  
18-0236-32-1-01-01-0000 - Y 18-0236-32-1-04-01-0000 - Y  
18-0236-33-2-01-01-0000 - Y 18-0236-33-2-03-01-0000 - Y  
18-0236-33-2-03-02-0000 - Y

**Remarks:**

**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.

|           |           |           |           |           |          |          |
|-----------|-----------|-----------|-----------|-----------|----------|----------|
| 4553-00   | 4554-00   | 4555-00   | 4556-00   | 4557-00   | 4558-00  | 4559-00  |
| 4560-00   | 4561-00   | 4562-00   | 4563-00   | 4564-00   | 4565-00  | 4566-00  |
| 4567-00   | 49564-00  | 49565-00  | 49566-00  | 95553-00  | 95554-00 | 95555-00 |
| 111101-00 | 111102-00 | 117653-00 | 117656-00 | 214946-00 |          |          |

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/06/2008: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/12/2012: SOURCE, POINTS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/19/1999.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 137435 RECEIVED 12/09/2015.

IT APPEARS THAT AN UNAUTHORIZED POST-JUNE 30, 1973 CHANGE IN POINT OF DIVERSION MAY BE REFLECTED IN THIS CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BROWNS CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1292, BEAVERHEAD COUNTY.