

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: 41B 113697-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: DAVID B MITCHELL
3000 BLACKTAIL RD
DILLON, MT 59725-8389

MITCHELL, THOMAS & BEA FAMILY TRUST
3000 BLACKTAIL RD
DILLON, MT 59725-8389

Priority Date: DECEMBER 31, 1866
Enforceable Priority Date: DECEMBER 31, 1866

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 3.25 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 241.00

Source Name: BLACKTAIL DEER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	NE	7	8S	8W	BEAVERHEAD

Period of Diversion: APRIL 1 TO NOVEMBER 15

Diversion Means: HEADGATE

Ditch Name: JAKOVAK DITCH

THIS CLAIM IS SUBJECT TO A PRIVATE WATER USE AGREEMENT THAT ALLOWS ACCESS TO THE SCHUETT DITCH. SEE THE CLAIM FILE FOR MORE INFORMATION.

Period of Use: APRIL 1 to NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	37.50		W2	SE	30	7S	8W	BEAVERHEAD	
2	52.50		E2	SW	30	7S	8W	BEAVERHEAD	
3	70.00		W2	NE	31	7S	8W	BEAVERHEAD	
4	72.25		E2	NW	31	7S	8W	BEAVERHEAD	
5	8.75		E2	W2	NW	31	7S	8W	BEAVERHEAD
Total:	241.00								

Geocodes/Valid: 18-0326-30-3-01-03-0000 - Y 18-0326-30-3-04-01-0000 - Y
18-0326-30-4-01-01-0000 - Y 18-0326-31-2-01-01-0000 - Y

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.

113697-00 113698-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/22/1998: PLACE OF USE AND MAXIMUM ACRES.

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

Remarks:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/27/1997.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/28/1985.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 79574 RECEIVED 06/19/2009.