

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:** 41S 138219-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE  
**Version Status:** ACTIVE

**Owners:** BOS TERRA LP  
PO BOX 169  
HOBSON, MT 59452-0169

**Priority Date:** MAY 7, 1890  
**Enforceable Priority Date:** MAY 7, 1890

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 5.00 CFS

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

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 210.00

**Source Name:** JUDITH RIVER  
**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		SESWNW	1	14N	14E	JUDITH BASIN

**Period of Diversion:** MAY 1 TO OCTOBER 4  
**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to OCTOBER 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	160.00		N2	35	15N	15E	JUDITH BASIN
2	50.00		S2S2	26	15N	15E	JUDITH BASIN
<b>Total:</b>	210.00						

**Geocodes/Valid:** 36-2464-26-3-04-01-0000 - Y      36-2464-35-1-01-01-0000 - 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.

138214-00    138217-00    138218-00    138219-00    138220-00    138221-00

THE MAXIMUM ACRES AND PLACE OF USE HAVE BEEN RE-EXAMINED BY THE DNRC UNDER MONTANA WATER COURT ORDER DATED AUGUST 29, 1997. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 30314 RECEIVED 02/23/2006.  
OWNERSHIP UPDATE TYPE DOR # 84875 RECEIVED 02/25/2011.

THIS CLAIM AND THE CLAIM NUMBERS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THESE CLAIMS, HOWEVER, SHALL NOT EXCEED THE 200 INCHES AS DECREED IN CASE NO. 982. THE COURT, AT THIS TIME, MAKES NO DETERMINATION OF CORRECT PREDECESSORS IN INTEREST OR THE CORRECT DIVISION OF THE WATER AMONG CLAIMANTS. W016521-00, W016518-00, W013328-00, W011663-00.

USDA AERIAL PHOTOGRAPH NO(S). 30045-279-19 , DATED 9/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

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**Remarks:**

THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.