

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 182051-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: BROKEN PICK LAND & CATTLE CO LLC
20 HILLS WAY
WHITEFISH, MT 59937

Priority Date: APRIL 9, 1884

Enforceable Priority Date: APRIL 9, 1884

Type of Historical Right: FILED

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: BIRCH 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 | | NENWSW | 27 | 29N | 8W | PONDERA |

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: B CANAL

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 | | | S2SWNW | 13 | 29N | 8W | PONDERA |
| 2 | | | SENWSW | 13 | 29N | 8W | PONDERA |
| 3 | | | E2SWSW | 13 | 29N | 8W | PONDERA |
| 4 | | | NWSESE | 14 | 29N | 8W | PONDERA |
| 5 | | | S2SESE | 14 | 29N | 8W | PONDERA |
| 6 | | | E2NENE | 23 | 29N | 8W | PONDERA |
| 7 | | | NESENE | 23 | 29N | 8W | PONDERA |
| 8 | | | S2SENE | 23 | 29N | 8W | PONDERA |
| 9 | | 2 | SWNE | 23 | 29N | 8W | PONDERA |
| 10 | | | SESWNE | 23 | 29N | 8W | PONDERA |
| 11 | | 3 | NWSE | 23 | 29N | 8W | PONDERA |
| 12 | | | NENWSE | 23 | 29N | 8W | PONDERA |
| 13 | | | S2NWSE | 23 | 29N | 8W | PONDERA |
| 14 | | 5 | SESW | 23 | 29N | 8W | PONDERA |
| 15 | | | E2SESW | 23 | 29N | 8W | PONDERA |
| 16 | | 4 | SWSW | 23 | 29N | 8W | PONDERA |
| 17 | | | NENW | 24 | 29N | 8W | PONDERA |
| 18 | | | NWNW | 24 | 29N | 8W | PONDERA |
| 19 | | | NWSENW | 24 | 29N | 8W | PONDERA |
| 20 | | | SWNW | 24 | 29N | 8W | PONDERA |
| 21 | | | NENWSE | 24 | 29N | 8W | PONDERA |
| 22 | | | SWNWSE | 24 | 29N | 8W | PONDERA |
| 23 | | | S2N2SW | 24 | 29N | 8W | PONDERA |

Geocodes/Valid: 26-4094-13-2-03-01-0000 - Y 26-4094-14-4-04-01-0000 - Y
26-4094-23-4-03-02-0000 - Y 26-4094-24-1-02-01-0000 - Y

Remarks:

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/17/2002.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/14/1997.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/13/1990.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 2255 RECEIVED 04/17/2002.

OWNERSHIP UPDATE TYPE 608 # 32054 RECEIVED 03/06/2006.

THIS CLAIM APPEARS TO DUPLICATE CLAIM NO. 182052-00 FILED BY THE PONDERA COUNTY CANAL AND RESERVOIR COMPANY.