

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 40702-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

JAMES E GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

VIOLA M GIEM  
203 SILVER BOW LN  
TWIN BRIDGES, MT 59754

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

**Priority Date:** MAY 1, 1866

**Enforceable Priority Date:** MAY 1, 1866

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/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.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 439.50

**Source Name:** BEAVERHEAD RIVER

**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>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	29	4S	6W	MADISON

**Period of Diversion:** MAY 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** GIEM DITCH

**Period of Use:** MAY 1 to OCTOBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	122.50			SE 17	4S	6W	MADISON
2	72.00			NE 20	4S	6W	MADISON
3	142.00			NW 20	4S	6W	MADISON
4	27.00			SE 20	4S	6W	MADISON
5	76.00			SW 20	4S	6W	MADISON
<b>Total:</b>	<b>439.50</b>						

**Geocodes/Valid:** -- NO VALID GEOCODES --

**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.

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/11/1992: PRIORITY DATE,

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**Remarks:**

MAXIMUM ACRES.

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

THE MADISON COUNTY WATER RESOURCES SURVEY ( 1965 ) APPEARS TO INDICATE 239.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BEAVERHEAD RIVER WITH A PRIORITY DATE PREDATING CASE NO. 1053, BEAVERHEAD COUNTY.