

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 88211-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** MERTZ, SARA SEPARATE PROPERTY TRUST  
1315 DIAMOND HEAD DR  
ENCINITAS, CA 92024-4004

**Priority Date:** JULY 2, 1985

**Enforceable Priority Date:** JULY 2, 1985

THIS CLAIM IS AN EXISTING WATER RIGHT. PRIORITY DATE WAS MODIFIED BY STIPULATION DURING ADJUDICATION.

**Type of Historical Right:** USE

**Purpose (use):** MINING

**Maximum Flow Rate:** 282.74 GPM

**Maximum Volume:** THIS RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

**Source Name:** DYCE CREEK, EAST FORK

**Source Type:** SURFACE WATER

ALSO KNOWN AS BALD MOUNTAIN CREEK

**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		NW	NE	14	6S	12W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO DECEMBER 1

**Diversion Means:** HEADGATE

A STIPULATION FILED DURING ADJUDICATION SUBJECTS THIS CLAIM TO CERTAIN POINT OF DIVERSION REQUIREMENTS AND RESTRICTIONS. SEE STIPULATION IN CLAIM FILE.

**Period of Use:** MAY 1 to DECEMBER 1

**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			SE	SW	24	6S	12W BEAVERHEAD
2			SE	SW	24	6S	12W BEAVERHEAD

THE PLACE OF USE INCLUDES MINERAL SURVEY NO. 4436, 4439 (OLD FAITHFUL MINE AND MILL).

**Geocodes/Valid:** 18-0411-24-3-01-02-0000 - Y      18-0411-24-3-01-04-0000 - Y

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/09/1983: SOURCE, POINT OF DIVERSION, CONVEYANCE, PLACE OF USE, TYPE OF RIGHT.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/22/1990.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 102155 RECEIVED 01/31/2012.

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 149484 RECEIVED 11/09/2016.