

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 88212-00 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:** MAY 23, 1894

**Enforceable Priority Date:** MAY 23, 1894

**Type of Historical Right:** USE

**Purpose (use):** MINING

**Maximum Flow Rate:** 89.00 GPM

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

**Source Name:** UNNAMED TRIBUTARY OF DYCE CREEK, EAST FORK

**Source Type:** SURFACE WATER

ALSO KNOWN AS SURPRISE CREEK

**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		N2SESW	24	6S	12W	BEAVERHEAD

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

**Diversion Means:** HEADGATE

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

**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			SENWSW	24	6S	12W	BEAVERHEAD
2			N2SWSW	24	6S	12W	BEAVERHEAD

THE PLACE OF USE INCLUDES MINERAL SURVEY 4439 (OLD FAITHFUL, ALICE, CABLE, CAPITAL LODES).

**Geocodes/Valid:** 18-0411-24-3-01-01-0000 - Y      18-0411-24-3-01-02-0000 - Y  
18-0411-24-3-01-03-0000 - 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.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/22/90.

**OWNERSHIP UPDATE RECEIVED**

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

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 150436 RECEIVED 12/07/2016.