

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 88762-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: REBISH & KONEN LIVESTOCK LP
200 AIRPORT RD
DILLON, MT 59725-9550

Priority Date: AUGUST 31, 1899

Enforceable Priority Date: AUGUST 31, 1899

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 6.25 CFS

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

Climatic Area: 5 - LOW

Maximum Acres: 605.00

Source Name: ROCK 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		NWSWNW	27	10S	5W	BEAVERHEAD

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

2		NESESE	3	11S	5W	BEAVERHEAD
---	--	--------	---	-----	----	------------

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Period of Use: APRIL 15 to OCTOBER 15

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	20.00		SWSW	16	10S	5W	BEAVERHEAD
2	200.00		S2	17	10S	5W	BEAVERHEAD
3	80.00		S2NE	18	10S	5W	BEAVERHEAD
4	40.00		NESE	18	10S	5W	BEAVERHEAD
5	40.00		N2NE	20	10S	5W	BEAVERHEAD
6	5.00		NWSWNE	21	10S	5W	BEAVERHEAD
7	10.00		SWSWNE	21	10S	5W	BEAVERHEAD
8	110.00		NW	21	10S	5W	BEAVERHEAD
9	35.00		NWSE	21	10S	5W	BEAVERHEAD
10	15.00		W2SESE	21	10S	5W	BEAVERHEAD
11	35.00		SWSE	21	10S	5W	BEAVERHEAD
12	15.00		E2NESW	21	10S	5W	BEAVERHEAD
Total:	605.00						

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.

88762-00 88765-00

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

88756-00 88762-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/11/2012: POINT OF DIVERSION, MEANS OF DIVERSION, MEANS OF CONVEYANCE, FLOW RATE, VOLUME, PERIOD OF USE, PERIOD OF DIVERSION, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 23641 RECEIVED 04/26/2005.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE.

USDA AERIAL PHOTOGRAPH NO(S). 579-71 , DATED 09/11/1979 , APPEARS TO INDICATE 160 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-9P-94 , DATED 808/02/1955 , APPEARS TO INDICATE 92 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.