

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 88765-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

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

Priority Date: NOVEMBER 17, 1911

Enforceable Priority Date: NOVEMBER 17, 1911

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 4.00 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: 160.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	27	10S	5W	BEAVERHEAD

Period of Diversion: MARCH 1 TO NOVEMBER 1

Diversion Means: HEADGATE

2		SENESE	3	11S	5W	BEAVERHEAD
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Period of Diversion: MARCH 1 TO NOVEMBER 1

Diversion Means: HEADGATE

Period of Use: MARCH 1 to NOVEMBER 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	40.00		NENW	21	10S	5W	BEAVERHEAD
2	80.00		W2NW	21	10S	5W	BEAVERHEAD
3	40.00		NWSE	21	10S	5W	BEAVERHEAD

Total: 160.00

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

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.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.
 FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
 THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 25 TO OCTOBER 5.
 USDA AERIAL PHOTOGRAPH NO(S). 579-71 , DATED 09/11/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

Remarks:

AERIAL PHOTOGRAPH NO(S). CXM 9P-94 , DATED 08/02/1955 , APPEARS TO INDICATE 0.00 ACRES
IRRIGATED.