

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:** 41D 93606-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** UPPER BIG HOLE LLC  
5100 CALIFORNIA AVE STE 234  
BAKERSFIELD, CA 93309-0718

**Priority Date:** MAY 13, 1898

**Enforceable Priority Date:** MAY 13, 1898

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** 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.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 301.60

**Source Name:** BIG HOLE RIVER

**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		SESENW	16	6S	15W	BEAVERHEAD

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

**Diversion Means:** HEADGATE

**Ditch Name:** WEST SIDE DITCH

2		NWNESE	9	6S	15W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO OCTOBER 1

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to OCTOBER 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	79.00		SE	4	6S	15W	BEAVERHEAD
2	222.60			9	6S	15W	BEAVERHEAD
<b>Total:</b>	301.60						

**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.

93605-00 93606-00 30050426

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/23/2002: PLACE OF USE, FLOW RATE, POINT OF DIVERSION, MAXIMUM ACRES.

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

IMPLIED CLAIM NO. 41D 30050426 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/04/2005.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 22001 RECEIVED 04/04/2005.

OWNERSHIP UPDATE TYPE 608 # 25268 RECEIVED 09/30/2005.

**Remarks:**

OWNERSHIP UPDATE TYPE 608 # 37536 RECEIVED 05/18/2006.