

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:** 41A 95196-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** WILLIAM J MARTINELL  
PO BOX 240050  
DELL, MT 59724-0050

**Priority Date:** OCTOBER 8, 1901  
**Enforceable Priority Date:** OCTOBER 8, 1901

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 2.50 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:** 836.00

**Source Name:** NICHOLIA 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         |                 | SWNWNE     | 24         | 15S        | 11W        | BEAVERHEAD    |

**Period of Diversion:** APRIL 15 TO OCTOBER 15  
**Diversion Means:** HEADGATE

|   |  |        |    |     |     |            |
|---|--|--------|----|-----|-----|------------|
| 2 |  | SENESE | 25 | 15S | 11W | BEAVERHEAD |
|---|--|--------|----|-----|-----|------------|

**Period of Diversion:** APRIL 15 TO OCTOBER 15  
**Diversion Means:** HEADGATE

|   |  |        |    |     |     |            |
|---|--|--------|----|-----|-----|------------|
| 3 |  | SESWNE | 35 | 15S | 11W | 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</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|---------------|---------------|-----------------|------------|------------|------------|------------|---------------|
| 1             | 153.00        |                 | N2         | 19         | 15S        | 10W        | BEAVERHEAD    |
| 2             | 28.00         |                 | N2S2       | 19         | 15S        | 10W        | BEAVERHEAD    |
| 3             | 7.00          |                 | W2NW       | 20         | 15S        | 10W        | BEAVERHEAD    |
| 4             | 80.00         |                 | E2SE       | 23         | 15S        | 11W        | BEAVERHEAD    |
| 5             | 99.00         |                 | SE         | 24         | 15S        | 11W        | BEAVERHEAD    |
| 6             | 150.00        |                 | SW         | 24         | 15S        | 11W        | BEAVERHEAD    |
| 7             | 19.00         |                 | W2NE       | 25         | 15S        | 11W        | BEAVERHEAD    |
| 8             | 230.00        |                 | W2         | 25         | 15S        | 11W        | BEAVERHEAD    |
| 9             | 70.00         |                 | E2NE       | 26         | 15S        | 11W        | BEAVERHEAD    |
| <b>Total:</b> | <b>836.00</b> |                 |            |            |            |            |               |

**Geocodes/Valid:** 18-0009-23-4-01-01-0000 - Y      18-0009-24-3-01-01-0000 - Y  
18-0009-25-2-01-01-0000 - Y      18-0009-26-1-01-01-0000 - Y  
18-0010-19-3-01-01-0000 - Y      18-0010-20-2-01-01-0000 - Y

**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.

95187-00    95188-00    95194-00    95195-00    95196-00    95197-00

**Remarks:**

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/29/1986.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/07/1999.