

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 95257-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** TERRILL D TODD  
190 TUKE LN  
TWIN BRIDGES, MT 59754-8705  
JULIENNE L TODD  
190 TUKE LN  
TWIN BRIDGES, MT 59754-8705

**Priority Date:** MAY 1, 1884  
**Enforceable Priority Date:** MAY 1, 1884

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 1.00 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:** 40.00

**Source Name:** HORSE PRAIRIE 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         |                 | NENESE         | 31         | 9S         | 13W        | BEAVERHEAD    |

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 to OCTOBER 31

**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             | 10.00        |                 | S2S2N2         | 33         | 9S         | 13W        | BEAVERHEAD    |
| 2             | 30.00        |                 | SWNW           | 34         | 9S         | 13W        | BEAVERHEAD    |
| <b>Total:</b> | 40.00        |                 |                |            |            |            |               |

**Geocodes/Valid:** 18-0141-33-1-01-01-0000 - Y 18-0141-34-1-01-01-0000 - Y

**Remarks:**

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 03/04/2003.  
STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.  
CENTENNIAL LIVESTOCK INC WAS REMOVED FROM THE WATER RIGHT ON 4/5/2006. THE WATER RIGHT WAS MISTAKENLY INCLUDED IN EXHIBIT D OF A TRANSFER FROM BIDDLE'S TO EAT #334 LLC AND LATER TO CENTENNIAL LIVESTOCK INC. CENTENNIAL LIVESTOCK INC SUBMITTED A REQUEST TO WITHDRAW A STATEMENT OF CLAIM AS THE WATER RIGHT WAS NOT APPURTENANT TO THEIR PROPERTY. THE WITHDRAWAL WAS NOT PROCESSED.  
NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/19/1988.  
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/22/1994.  
NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/02/1994.  
NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/17/1999.  
WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/06/2000.  
**OWNERSHIP UPDATE RECEIVED**  
OWNERSHIP UPDATE TYPE 608 # 16462 RECEIVED 07/08/2004.  
OWNERSHIP UPDATE TYPE 608 # 26511 RECEIVED 11/14/2005.  
OWNERSHIP UPDATE TYPE DOR # 98132 RECEIVED 04/10/2012.

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**Remarks:**

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

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

USDA AERIAL PHOTOGRAPH NO(S). 1479-33 , DATED 07/16/1980 , APPEARS TO INDICATE 12.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-4FF-24 , DATED 8/07/1965 , APPEARS TO INDICATE 13.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.