

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 95528-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** WATER USERS IRRIGATION CO  
PO BOX 1046  
DILLON, MT 59725

**Priority Date:** NOVEMBER 18, 1901

**Enforceable Priority Date:** NOVEMBER 18, 1901

**Type of Historical Right:** FILED

**Purpose (use):** SALE

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Maximum Volume:** 167,840.00 AC-FT

**Climatic Area:** 5 - LOW

**Source Name:** RED ROCK 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		SWNWSW	32	13S	6W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ON STREAM **Reservoir Name** LIMA RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNWSW	32	13S	6W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 1

**Current Capacity:** 84,025.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**Period of Use:** JANUARY 1 to DECEMBER 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>
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PLACE OF USE HAS BEEN AMENDED TO THE FOLLOWING GENERAL SERVICE AREA

- TWP RGE COUNTY
- 10S 10W BEAVERHEAD
- 11S 10W BEAVERHEAD
- 11S 10W BEAVERHEAD
- 12S 10W BEAVERHEAD
- 12S 9W BEAVERHEAD
- 13S 9W BEAVERHEAD
- 13S 8W BEAVERHEAD
- 13S 7W BEAVERHEAD
- 14S 9W BEAVERHEAD
- 14S 8W BEAVERHEAD
- 14S 7W BEAVERHEAD
- 14S 5W BEAVERHEAD
- 14S 6W BEAVERHEAD

THE GENERAL SERVICE AREA IS THE AREA SERVED BY THE WATER USERS IRRIGATION COMPANY FROM LIMA RESERVOIR.

**Geocodes/Valid:** -- NO VALID GEOCODES --

**Remarks:**

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/09/2012: PURPOSE, POINT OF DIVERSION, VOLUME, MAXIMUM ACRES, PLACE OF USE.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 05/06/1996.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 41A 95525-00.

PARENT FILE FOR THIS RIGHT IS 41A 95525-00.

CONVEYANCE OF WATER TO ALL OF THE GENERAL SERVICE AREA IS IMPROBABLE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 41A 95526-00, 41A 95528-00.

IT APPEARS THAT THE CLAIMED PERIOD OF USE EXCEEDS THE HISTORICAL PERIOD OF USE FOR DISTRIBUTED WATER FROM LIMA RESERVOIR.

THE GENERAL SERVICE AREA APPEARS TO EXPAND THE LOCATION OF THE HISTORICAL USE OF WATER.

BASIN 41B AND A PORTION OF THE STATE OF IDAHO ARE INCLUDED IN THE GENERAL SERVICE AREA.

FILED RIGHT DESCRIBES THE POINT OF DIVERSION AS A DITCH LOCATED BELOW LIMA DAM, THIS FILED RIGHT MAY NOT APPLY TO THIS CLAIM

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED ON RED ROCK RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 576, BEAVERHEAD COUNTY.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE POINT OF DIVERSION DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED POINT OF DIVERSION.

AFFIDAVIT INFORMATION IN THE CLAIM FILE INDICATES THE CLAIMED VOLUME EXCEEDS THE CAPACITY OF THE RESERVOIR.