

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:** 41M 113451-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** PONDERA COUNTY CANAL & RESERVOIR CO  
PO BOX 245  
VALIER, MT 59486

**Priority Date:** APRIL 9, 1884

**Enforceable Priority Date:** APRIL 9, 1884

**Type of Historical Right:** FILED

**Purpose (use):** STOCK

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Maximum Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** BIRCH 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		NENWSW	27	29N	8W	PONDERA

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

**Diversion Means:** HEADGATE

**Ditch Name:** B CANAL

**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>
1			S2NESE	19	29N	7W	PONDERA
2			SENWSE	19	29N	7W	PONDERA
3			NESWSE	19	29N	7W	PONDERA
4			W2SWSE	19	29N	7W	PONDERA
5			SESESW	19	29N	7W	PONDERA
6			W2NWSE	20	29N	7W	PONDERA
7			W2SWSE	20	29N	7W	PONDERA
8			N2NESW	20	29N	7W	PONDERA
9			NWSW	20	29N	7W	PONDERA
10			SESW	20	29N	7W	PONDERA
11			SWSESW	24	29N	7W	PONDERA
12			SWSW	24	29N	7W	PONDERA
13			SESENE	25	29N	7W	PONDERA
14			E2NWNW	25	29N	7W	PONDERA
15			SWSENE	25	29N	7W	PONDERA
16			NESWNW	25	29N	7W	PONDERA
17			N2SE	25	29N	7W	PONDERA
18			N2SW	25	29N	7W	PONDERA
19			SWNESE	26	29N	7W	PONDERA
20			E2NWNE	26	29N	7W	PONDERA
21			W2SENE	26	29N	7W	PONDERA
22			SESWNE	26	29N	7W	PONDERA
23			NENESE	26	29N	7W	PONDERA
24			S2NESE	26	29N	7W	PONDERA
25			N2NWSE	26	29N	7W	PONDERA
26			NENESW	26	29N	7W	PONDERA
27			SWNESW	26	29N	7W	PONDERA
28			SENWSW	26	29N	7W	PONDERA

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>
29			N2SWSW	26	29N	7W	PONDERA
30			SWSWSW	26	29N	7W	PONDERA
31			S2NWSW	27	29N	7W	PONDERA
32			NESESW	27	29N	7W	PONDERA
33			S2SESW	27	29N	7W	PONDERA
34			NESWSW	27	29N	7W	PONDERA
35			SENESE	28	29N	7W	PONDERA
36			N2SESE	28	29N	7W	PONDERA
37			S2SWSE	28	29N	7W	PONDERA
38			S2S2SW	28	29N	7W	PONDERA
39			W2NENW	29	29N	7W	PONDERA
40			W2NENW	29	29N	7W	PONDERA
41			SENWNW	29	29N	7W	PONDERA
42			W2NENW	30	29N	7W	PONDERA
43			E2NWNW	30	29N	7W	PONDERA
44			SWNWNW	30	29N	7W	PONDERA
45			W2SENE	25	29N	8W	PONDERA
46			N2SWNE	25	29N	8W	PONDERA
47			N2S2NW	25	29N	8W	PONDERA
48			N2NESE	25	29N	8W	PONDERA
49			SWNENE	26	29N	8W	PONDERA
50			N2NWNE	26	29N	8W	PONDERA
51			N2SENE	26	29N	8W	PONDERA
52			NENENW	26	29N	8W	PONDERA
53			SWNENW	26	29N	8W	PONDERA
54			W2SWNW	26	29N	8W	PONDERA
55			E2NWSW	26	29N	8W	PONDERA
56			SWNWSW	26	29N	8W	PONDERA
57			NWSWSW	26	29N	8W	PONDERA

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

113451-00 113459-00

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 23236 RECEIVED 07/21/2005.

AN AMENDMENT WAS SUBMITTED ON 03/05/2004, WHICH HAS NOT BEEN IMPLEMENTED.