

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: 41B 120775-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

BARBARA A NITSCHKE
282 SCHULTZ LN
DILLON, MT 59725-8272

FREDERICK J MORGANTHALER
PO BOX 68
DILLON, MT 59725-0068

MICHELLE M MORGANTHALER
PO BOX 68
DILLON, MT 59725-0068

FLOYD T BARNES
4294 MT HIGHWAY 91 NORTH
DILLON, MT 59725

CYNTHIA K BARNES
4294 MT HIGHWAY 91 NORTH
DILLON, MT 59725

MICHAEL CLARKE
212 SCHULTZ LN
DILLON, MT 59725-8272

LINDSEY CLARKE
212 SCHULTZ LN
DILLON, MT 59725-8272

CORINNE K WELBORN
100 CHOKECHERRY DR
DILLON, MT 59725-9586

PFLIEGER MONTANA ENTERPRISES LLC
PO BOX 298
HAMILTON, MT 59840-0298

TOLMAN LIVESTOCK CO
372 TOLMAN RD
POWELL, WY 82435-8123

ANDREW P SUENRAM
4486 MT HWY 91 N
DILLON, MT 59725-7318

PERI R SUENRAM
4486 MT HWY 91 N
DILLON, MT 59725-7318

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: AUGUST 1, 1882

Enforceable Priority Date: AUGUST 1, 1882

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 8.50 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER

RESOURCES REGIONAL OFFICE.

Climatic Area: 3 - MODERATE
Maximum Acres: 385.14
Source Name: BEAVERHEAD 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		SWSWSE	7	7S	8W	BEAVERHEAD

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: GUIDICI DITCH

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		SWNENW	31	6S	8W	BEAVERHEAD
2	30.00		SEnw	31	6S	8W	BEAVERHEAD
3	22.00	2	SWNW	31	6S	8W	BEAVERHEAD
4	40.00		NEsw	31	6S	8W	BEAVERHEAD
5	34.47	3	NWSW	31	6S	8W	BEAVERHEAD
6	10.00		NWSESW	31	6S	8W	BEAVERHEAD
7	10.00		SWSESW	31	6S	8W	BEAVERHEAD
8	34.58	4	SWSW	31	6S	8W	BEAVERHEAD
9	5.24		SWSWNE	6	7S	8W	BEAVERHEAD
10	39.86	3	NENW	6	7S	8W	BEAVERHEAD
11	31.07	4	NWNW	6	7S	8W	BEAVERHEAD
12	40.00		SEnw	6	7S	8W	BEAVERHEAD
13	23.86	5	SWNW	6	7S	8W	BEAVERHEAD
14	7.40		NWSE	6	7S	8W	BEAVERHEAD
15	33.00		NEsw	6	7S	8W	BEAVERHEAD
16	13.66	6	NWSW	6	7S	8W	BEAVERHEAD
Total:	385.14						

Geocodes/Valid:	18-0326-06-3-02-10-0000 - Y	18-0326-06-3-03-01-0000 - Y
	18-0326-06-3-03-03-0000 - Y	18-0326-06-3-03-05-0000 - Y
	18-0326-06-3-03-07-0000 - Y	18-0326-06-3-03-09-0000 - Y
	18-0415-31-2-01-01-0000 - Y	18-0415-31-2-02-02-0000 - Y
	18-0415-31-3-01-01-0000 - Y	18-0415-31-3-01-05-0000 - Y
	18-0415-31-3-01-10-0000 - Y	18-0415-31-3-01-20-0000 - 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.

120775-00 120776-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/19/2007. OWNERSHIP UPDATE #45054. C & C NORTH RECEIVED PARCELS 8A AND 8B ToLMAN LIVESTOCK MINOR SUBDIVISION NO. 2.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/23/2007. TOLMAN LIVESTOCK TO BARNES-BOUNDARY ADJUSTMENT-BARNES RECEIVES 1 ACRE AMENDED LOT 2 IN THE NWSW SEC. 31.TWP 6N RGE 8W ALONG THE GUIDICI DITCH.

OWNERSHIP UPDATE RECEIVED

- OWNERSHIP UPDATE TYPE 608 # 45054 RECEIVED 03/19/2007.
- OWNERSHIP UPDATE TYPE 608 # 45187 RECEIVED 03/23/2007.
- OWNERSHIP UPDATE TYPE DOR # 84362 RECEIVED 02/24/2010.
- OWNERSHIP UPDATE TYPE DOR # 109673 RECEIVED 10/13/2010.
- OWNERSHIP UPDATE TYPE DOR # 97386 RECEIVED 07/25/2011.
- OWNERSHIP UPDATE TYPE DOR # 101974 RECEIVED 06/01/2012.

Remarks:

OWNERSHIP UPDATE TYPE DOR # 104016 RECEIVED 09/06/2012.
OWNERSHIP UPDATE TYPE DOR # 107711 RECEIVED 12/02/2012.
OWNERSHIP UPDATE TYPE DOR # 113699 RECEIVED 08/06/2013.
OWNERSHIP UPDATE TYPE 608 # 129932 RECEIVED 03/30/2015.
OWNERSHIP UPDATE TYPE 608 # 130049 RECEIVED 04/08/2015.
OWNERSHIP UPDATE TYPE DOR # 142594 RECEIVED 04/05/2016.

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY
DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 450 MINER'S
INCHES DECREED IN CASE NO. 828, BEAVERHEAD COUNTY. 41B 4552-00, 41B 26049-00, 41B 32457-
00, 41B 36179-00, 41B 88381-00, 41B 88685-00, 41B 88808-00, 41B 88809-00, 41B 88810-00, 41B 92153-
00, 41B 120775-00, 41B 128106-00.
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