

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:** 41D 182271-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** DIAMOND ONE RANCH INC  
PO BOX 5043  
NAPA, CA 94581-0043

DOOLING LIVESTOCK CO  
PO BOX 842  
JACKSON, MT 59736-0842

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

**Priority Date:** JULY 9, 1915

**Enforceable Priority Date:** JULY 9, 1915

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 8.00 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:** 243.00

**Source Name:** BERRY CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS MULKEY CREEK

**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		SESWNE	1	7S	16W	BEAVERHEAD

**Period of Diversion:** MAY 20 TO OCTOBER 20

**Diversion Means:** DIVERSION DAM

**Ditch Name:** UPPER BERRY CREEK DITCH

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

**Period of Use:** MAY 20 to OCTOBER 20

**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	6.00		S2SE	19	6S	15W	BEAVERHEAD
2	27.00		W2NW	29	6S	15W	BEAVERHEAD
3	116.00		NE	30	6S	15W	BEAVERHEAD
4	66.00		NW	30	6S	15W	BEAVERHEAD
5	4.00		NWNWSE	30	6S	15W	BEAVERHEAD
6	24.00		SW	30	6S	15W	BEAVERHEAD

**Total:** 243.00

**Geocodes/Valid:** 18-0408-19-4-04-01-0000 - Y      18-0408-29-1-01-01-0000 - Y  
18-0408-30-4-01-01-0000 - 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.

92754-00    92772-00    182271-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/1998: PLACE OF USE,

**Remarks:**

MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/02/2000: PLACE OF USE,  
MAXIMUM ACRES.

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO.  
92754-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/20/1998.