

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 10699-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** OPEN A RANCH INC  
PO BOX 952  
DILLON, MT 59725-0952

**Priority Date:** AUGUST 7, 1897  
**Enforceable Priority Date:** AUGUST 7, 1897

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 10.00 CFS

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

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 2,997.25

**Source Name:** ALBERS SLOUGH  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	SESW	35	5S	8W BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** HILL DITCH

2		SE	SW	10	6S	8W BEAVERHEAD
---	--	----	----	----	----	---------------

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DRUMMY #2 DITCH

3		NE	SW	15	6S	8W BEAVERHEAD
---	--	----	----	----	----	---------------

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DRUMMY #1 DITCH

**Period of Use:** APRIL 15 to OCTOBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	23.00		SW	SE	23	5S	8W BEAVERHEAD
2	14.00		SE	SW	23	5S	8W BEAVERHEAD
3	1.00		SE	NE	25	5S	8W BEAVERHEAD
4	40.00		NE	SE	25	5S	8W BEAVERHEAD
5	32.00		SE	SE	25	5S	8W BEAVERHEAD
6	40.00		SW	SE	25	5S	8W BEAVERHEAD
7	30.00		SE	SW	25	5S	8W BEAVERHEAD
8	19.00		SW	SW	25	5S	8W BEAVERHEAD
9	26.00		NW	NE	26	5S	8W BEAVERHEAD
10	1.00		SE	NE	26	5S	8W BEAVERHEAD
11	29.00		SW	NE	26	5S	8W BEAVERHEAD
12	36.00		NE	NW	26	5S	8W BEAVERHEAD
13	40.00		SE	NW	26	5S	8W BEAVERHEAD
14	19.00		NE	SE	26	5S	8W BEAVERHEAD
15	37.00		NW	SE	26	5S	8W BEAVERHEAD
16	38.00		SE	SE	26	5S	8W BEAVERHEAD
17	24.00		SW	SE	26	5S	8W BEAVERHEAD
18	40.00		NE	SW	26	5S	8W BEAVERHEAD
19	40.00		NW	SW	26	5S	8W BEAVERHEAD
20	30.00		SE	SW	26	5S	8W BEAVERHEAD

**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>
21	30.00		SWSW	26	5S	8W	BEAVERHEAD
22	34.00		SENE	35	5S	8W	BEAVERHEAD
23	2.00		SWNE	35	5S	8W	BEAVERHEAD
24	40.00		NESE	35	5S	8W	BEAVERHEAD
25	29.00		NWSE	35	5S	8W	BEAVERHEAD
26	40.00		SESE	35	5S	8W	BEAVERHEAD
27	40.00		SWSE	35	5S	8W	BEAVERHEAD
28	1.00		NESW	35	5S	8W	BEAVERHEAD
29	24.00		SESW	35	5S	8W	BEAVERHEAD
30	40.00		NENE	36	5S	8W	BEAVERHEAD
31	40.00		NWNE	36	5S	8W	BEAVERHEAD
32	39.50		SENE	36	5S	8W	BEAVERHEAD
33	40.00		SWNE	36	5S	8W	BEAVERHEAD
34	40.00		NENW	36	5S	8W	BEAVERHEAD
35	39.00		NWNW	36	5S	8W	BEAVERHEAD
36	40.00		SENW	36	5S	8W	BEAVERHEAD
37	40.00		SWNW	36	5S	8W	BEAVERHEAD
38	24.00		NESE	36	5S	8W	BEAVERHEAD
39	40.00		NWSE	36	5S	8W	BEAVERHEAD
40	6.00		SESE	36	5S	8W	BEAVERHEAD
41	39.00		SWSE	36	5S	8W	BEAVERHEAD
42	160.00		SW	36	5S	8W	BEAVERHEAD
43	169.80		NE	2	6S	8W	BEAVERHEAD
44	169.45		NW	2	6S	8W	BEAVERHEAD
45	40.00		NWSE	2	6S	8W	BEAVERHEAD
46	160.00		SW	2	6S	8W	BEAVERHEAD
47	42.50		NENE	3	6S	8W	BEAVERHEAD
48	6.00		NWNE	3	6S	8W	BEAVERHEAD
49	40.00		SENE	3	6S	8W	BEAVERHEAD
50	35.00		SWNE	3	6S	8W	BEAVERHEAD
51	9.00		SENW	3	6S	8W	BEAVERHEAD
52	160.00		SE	3	6S	8W	BEAVERHEAD
53	32.00		NESW	3	6S	8W	BEAVERHEAD
54	36.00		SESW	3	6S	8W	BEAVERHEAD
55	160.00		NE	10	6S	8W	BEAVERHEAD
56	38.00		NENW	10	6S	8W	BEAVERHEAD
57	39.00		SENW	10	6S	8W	BEAVERHEAD
58	160.00		SE	10	6S	8W	BEAVERHEAD
59	39.50		NESW	10	6S	8W	BEAVERHEAD
60	39.50		SESW	10	6S	8W	BEAVERHEAD
61	40.00		NENW	11	6S	8W	BEAVERHEAD
62	40.00		NWNW	11	6S	8W	BEAVERHEAD
63	35.00		SENW	11	6S	8W	BEAVERHEAD
64	40.00		SWNW	11	6S	8W	BEAVERHEAD
65	18.00		NESW	11	6S	8W	BEAVERHEAD
66	40.00		NWSW	11	6S	8W	BEAVERHEAD
67	1.00		SESW	11	6S	8W	BEAVERHEAD
68	21.00		SWSW	11	6S	8W	BEAVERHEAD

**Total:** 2,997.25

<b>Geocodes/Valid:</b>	18-0415-02-2-01-01-0000 - Y	18-0415-03-1-01-01-0000 - Y
	18-0415-03-4-01-01-0000 - Y	18-0415-10-1-01-01-0000 - Y
	18-0415-11-2-01-01-0000 - Y	18-0502-23-4-03-01-0000 - Y
	18-0502-25-2-01-01-0000 - Y	18-0502-26-1-01-01-0000 - Y
	18-0502-35-4-01-01-0000 - Y	18-0502-36-2-01-01-0000 - 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.

10699-00	10700-00	10701-00	10702-00	10703-00	10704-00	10705-00
10706-00	10707-00	10708-00	10711-00	10713-00	10714-00	10716-00
10717-00	10718-00	10719-00	10720-00	10722-00		

---

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/16/2009: IRRIGATION TYPE, POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, VOLUME, PERIOD OF USE, PRIORITY DATE.

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 04/28/2010.

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

USDA AERIAL PHOTOGRAPH NO. 579-139 , DATED 09/13/1979 APPEARS TO INDICATE 2834 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-1FF-109 & 111, CXM-2FF-116 & 117 , DATED 08/01/1965 , APPEARS TO INDICATE 2,522 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.