

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 88838-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** HARRINGTON CO  
1740 HOLMES AVE  
BUTTE, MT 59701-3515

**Priority Date:** MARCH 29, 1911  
**Enforceable Priority Date:** MARCH 29, 1911

**Type of Historical Right:** DECREED

**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:** 727.00

**Source Name:** BRAYS CANYON CREEK  
**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		NWSE	26	7S	13W	BEAVERHEAD

**Period of Diversion:** MAY 15 TO NOVEMBER 1

**Diversion Means:** HEADGATE

WATER DIVERTED FROM BRAY'S CANYON CREEK IS CONVEYED TO SOUTH FORK HAYES CREEK WHICH IS USED AS A NATURAL CARRIER TO MULTIPLE SECONDARY POINTS OF DIVERSION. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

**Period of Use:** MAY 15 to NOVEMBER 1

**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	10.00		SW	17	7S	12W	BEAVERHEAD
2	36.00		SE	18	7S	12W	BEAVERHEAD
3	90.00		N2	19	7S	12W	BEAVERHEAD
4	325.00			24	7S	13W	BEAVERHEAD
5	266.00			25	7S	13W	BEAVERHEAD
<b>Total:</b>	<b>727.00</b>						

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

**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.

88834-00 88836-00 88838-00 88839-00 88840-00 88841-00 88845-00  
30046700

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/2009: PLACE OF USE, MAXIMUM ACRES.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/30/1983.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 40433 RECEIVED 08/03/2006.

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**Remarks:**

USDA AERIAL PHOTOGRAPH NO(S). 879-215 , DATED 09/18/1979 , APPEARS TO INDICATE 602.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-8FF-210, CXM-4FF-96 , DATED 08/30/1965, 08/14/1965 , APPEARS TO INDICATE 622.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.