

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:** 41G 95789-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** PEGGY WERNER  
613 MT HWY 55  
WHITEHALL, MT 59759-9740

**Priority Date:** MAY 1, 1904  
**Enforceable Priority Date:** MAY 1, 1904

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** 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.  
PRIMARILY A DIRECT FLOW IRRIGATION SYSTEM; VOLUME NOT DECREED.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 255.00

**Source Name:** FISH 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		SWNWNW	9	1S	5W	JEFFERSON

**Period of Diversion:** MAY 1 TO NOVEMBER 19

**Diversion Means:** HEADGATE

**Ditch Name:** BEALL DITCH NO. 1

**Reservoir:** OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	N2NENW	35	1N	5W	JEFFERSON

**Diversion to Reservoir:** DIVERSION # 1

**Reservoir:** OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	S2S2SE	26	1N	5W	JEFFERSON

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** MAY 1 to NOVEMBER 19

**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	90.00		SW	25	1N	5W	JEFFERSON
2	50.00		NW	25	1N	5W	JEFFERSON
3	65.00		NE	35	1N	5W	JEFFERSON
4	50.00		NW	35	1N	5W	JEFFERSON
<b>Total:</b>	255.00						

**Geocodes/Valid:** 51-0997-25-2-01-01-0000 - Y      51-0997-35-1-01-01-0000 - Y

**Remarks:**

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 11183 RECEIVED 10/24/2003.  
OWNERSHIP UPDATE TYPE DOR # 114997 RECEIVED 09/27/2013.  
OWNERSHIP UPDATE TYPE DOR # 131751 RECEIVED 01/08/2015.

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**Remarks:**

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.