

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:** 41O 178178-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** DEEP CREEK RANCH & MGMT CO LLC  
% GELLER FAMILY OFFICE SERVICES  
PO BOX 1510  
NEW YORK, NY 10022

**Priority Date:** NOVEMBER 20, 1899

**Enforceable Priority Date:** NOVEMBER 20, 1899

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.65 CFS

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

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 441.00

**Source Name:** KADE 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		SWNESW	1	23N	8W	TETON

**Period of Diversion:** MAY 1 TO OCTOBER 4

**Diversion Means:** HEADGATE

**Ditch Name:** BART DITCH#4

2		NWSWSW	1	23N	8W	TETON
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**Period of Diversion:** MAY 1 TO OCTOBER 4

**Diversion Means:** HEADGATE

**Ditch Name:** BART DITCH#5

**Period of Use:** MAY 1 to OCTOBER 4

**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	39.00	2	NWNE	1	23N	8W	TETON
2	40.00		SWNE	1	23N	8W	TETON
3	1.00	1	NWNENE	1	23N	8W	TETON
4	1.00	1	SWNENE	1	23N	8W	TETON
5	6.00		NENWSE	1	23N	8W	TETON
6	21.00		W2NWSE	1	23N	8W	TETON
7	8.00		SENWSE	1	23N	8W	TETON
8	6.00		SWNESE	1	23N	8W	TETON
9	17.00		N2SESE	1	23N	8W	TETON
10	1.00		SWSESE	1	23N	8W	TETON
11	20.00		N2SWSE	1	23N	8W	TETON
12	4.00		SESWSE	1	23N	8W	TETON
13	7.00		SWSWSE	1	23N	8W	TETON
14	3.00		SESESW	1	23N	8W	TETON
15	2.00		SWSESW	1	23N	8W	TETON
16	20.00		N2SESW	1	23N	8W	TETON
17	7.00		NESWSW	1	23N	8W	TETON
18	20.00		S2NESW	1	23N	8W	TETON
19	1.00		NWNESW	1	23N	8W	TETON
20	9.00		NENESW	1	23N	8W	TETON
21	3.00		SESWSW	1	23N	8W	TETON
22	3.00		SWSWSW	1	23N	8W	TETON
23	2.00		SENWNE	28	24N	7W	TETON
24	6.00		NESWNE	28	24N	7W	TETON

**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>
25	1.00		NENESE	28	24N	7W	TETON
26	2.00		SENESE	28	24N	7W	TETON
27	3.00		SWNESE	28	24N	7W	TETON
28	4.00		SENWSE	28	24N	7W	TETON
29	1.00		NESWSE	28	24N	7W	TETON
30	3.00		NWSWSE	28	24N	7W	TETON
31	3.00		SWNWSE	28	24N	7W	TETON
32	4.00		SENESE	28	24N	7W	TETON
33	2.00		NESESE	28	24N	7W	TETON
34	2.00		NWSESE	28	24N	7W	TETON
35	4.00		SWNESE	28	24N	7W	TETON
36	3.00		NESWSW	28	24N	7W	TETON
37	2.00		NWSWSW	28	24N	7W	TETON
38	2.00		NESENE	28	24N	7W	TETON
39	4.00		SESENE	28	24N	7W	TETON
40	3.00		SWSENE	28	24N	7W	TETON
41	2.00		NWSENE	28	24N	7W	TETON
42	5.00		SESWNE	28	24N	7W	TETON
43	2.00		NESWNW	28	24N	7W	TETON
44	3.00		NWSWNW	28	24N	7W	TETON
45	6.00		SWSWNW	28	24N	7W	TETON
46	2.00		NESENE	29	24N	7W	TETON
47	1.00		NWSENE	29	24N	7W	TETON
48	1.00		SESWNE	29	24N	7W	TETON
49	19.00		S2SENE	29	24N	7W	TETON
50	1.00		NENESE	29	24N	7W	TETON
51	2.00		NESESE	29	24N	7W	TETON
52	5.00		NWSESE	29	24N	7W	TETON
53	16.00		N2SWSE	29	24N	7W	TETON
54	5.00		SENWSE	29	24N	7W	TETON
55	10.00		SWNWSE	29	24N	7W	TETON
56	1.00		NWNWSE	29	24N	7W	TETON
57	2.00		SENESE	29	24N	7W	TETON
58	5.00		NESESE	29	24N	7W	TETON
59	2.00		NWSESE	29	24N	7W	TETON
60	1.00		NENWSW	29	24N	7W	TETON
61	3.00		SENWSW	29	24N	7W	TETON
62	7.00		SWNWSW	29	24N	7W	TETON
63	5.00		NWNWSW	29	24N	7W	TETON
64	1.00		NWNESW	29	24N	7W	TETON
65	1.00		SWSENE	29	24N	7W	TETON
66	7.00		SESENE	29	24N	7W	TETON
67	1.00		SWSWNE	29	24N	7W	TETON
68	2.00		NENESW	29	24N	7W	TETON
69	5.00		NENWNE	31	24N	7W	TETON
70	2.00		SENWNE	31	24N	7W	TETON
71	10.00		SWNWNE	31	24N	7W	TETON
72	2.00		NWNENE	31	24N	7W	TETON
73	3.00		NWSWNE	31	24N	7W	TETON
74	2.00	3	NWNWSW	31	24N	7W	TETON
75	6.00	3	SWNWSW	31	24N	7W	TETON
76	3.00	4	NWSWSW	31	24N	7W	TETON
<b>Total:</b>	441.00						

<b>Geocodes/Valid:</b>	31-3365-01-1-01-01-0000 - Y	31-3365-01-1-01-02-0000 - Y
	31-3484-28-1-01-01-0000 - Y	31-3484-28-3-01-01-0000 - Y
	31-3484-29-1-01-02-0000 - Y	31-3484-29-3-01-01-0000 - Y
	31-3484-31-1-01-01-0000 - Y	31-3484-31-2-01-01-0000 - 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.

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/16/2001: POINT OF DIVESION, PLACE OF USE, MAXIMUM ACRES.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/05/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/17/96.

SPLIT CLAIM NO. 41D 30064405 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 641 # 68700 RECEIVED 10/23/2008.

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 106467 RECEIVED 10/03/2012.