

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 10703-00 STATEMENT OF CLAIM  
**Version:** 3 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

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

**Priority Date:** JUNE 1, 1888  
**Enforceable Priority Date:** JUNE 1, 1888

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 2.50 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:** 1,612.50

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

**Source Name:** ALBERS SLOUGH  
**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		SWSESW	35	5S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Source Name:** ALBERS SLOUGH  
**Diversion Means:** HEADGATE  
**Ditch Name:** HILL DITCH

2		SWSENE	9	6S	8W	BEAVERHEAD
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**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Source Name:** BLACK SLOUGH  
**Diversion Means:** HEADGATE  
**Ditch Name:** SWAMP DITCH

**Period of Use:** APRIL 15 to OCTOBER 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	23.00		SWSE	23	5S	8W	BEAVERHEAD
2	14.00		SESW	23	5S	8W	BEAVERHEAD
3	1.00		SENE	25	5S	8W	BEAVERHEAD
4	40.00		NESE	25	5S	8W	BEAVERHEAD
5	32.00		SESE	25	5S	8W	BEAVERHEAD
6	40.00		SWSE	25	5S	8W	BEAVERHEAD
7	30.00		SESW	25	5S	8W	BEAVERHEAD
8	19.00		SWSW	25	5S	8W	BEAVERHEAD
9	26.00		NWNE	26	5S	8W	BEAVERHEAD
10	1.00		SENE	26	5S	8W	BEAVERHEAD
11	29.00		SWNE	26	5S	8W	BEAVERHEAD
12	36.00		NENW	26	5S	8W	BEAVERHEAD
13	40.00		SENE	26	5S	8W	BEAVERHEAD
14	19.00		NESE	26	5S	8W	BEAVERHEAD
15	37.00		NWSE	26	5S	8W	BEAVERHEAD
16	38.00		SESE	26	5S	8W	BEAVERHEAD
17	24.00		SWSE	26	5S	8W	BEAVERHEAD
18	40.00		NESW	26	5S	8W	BEAVERHEAD
19	40.00		NWSW	26	5S	8W	BEAVERHEAD
20	30.00		SESW	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	160.00		SW	35	5S	8W	BEAVERHEAD
29	1.00		NESW	35	5S	8W	BEAVERHEAD
30	24.00		SESW	35	5S	8W	BEAVERHEAD
31	40.00		NENE	36	5S	8W	BEAVERHEAD
32	40.00		NWNE	36	5S	8W	BEAVERHEAD
33	39.50		SENE	36	5S	8W	BEAVERHEAD
34	40.00		SWNE	36	5S	8W	BEAVERHEAD
35	40.00		NENW	36	5S	8W	BEAVERHEAD
36	39.00		NWNW	36	5S	8W	BEAVERHEAD
37	40.00		SENE	36	5S	8W	BEAVERHEAD
38	40.00		SWNE	36	5S	8W	BEAVERHEAD
39	24.00		NESE	36	5S	8W	BEAVERHEAD
40	40.00		NWSE	36	5S	8W	BEAVERHEAD
41	6.00		SESE	36	5S	8W	BEAVERHEAD
42	39.00		SWSE	36	5S	8W	BEAVERHEAD
43	15.00		NENE	2	6S	8W	BEAVERHEAD
44	20.00		NWNE	2	6S	8W	BEAVERHEAD
45	30.00		NENW	2	6S	8W	BEAVERHEAD
46	38.00		NWNW	2	6S	8W	BEAVERHEAD
47	38.00		NENE	3	6S	8W	BEAVERHEAD
48	23.00		NWNE	3	6S	8W	BEAVERHEAD
49	12.00		SWNE	3	6S	8W	BEAVERHEAD
50	16.00		SENE	3	6S	8W	BEAVERHEAD
51	10.00		NESW	3	6S	8W	BEAVERHEAD
52	12.00		SESW	3	6S	8W	BEAVERHEAD
53	9.00		NENW	10	6S	8W	BEAVERHEAD
54	3.00		SENE	10	6S	8W	BEAVERHEAD

**Total:** 1,612.50

<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
	18-0502-23-4-03-01-0000 - 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		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/29/2010: SOURCE, POINT OF DIVERSION, FLOW RATE, VOLUME, PERIOD OF USE, MAXIMUM ACRES, PLACE OF USE.

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 1473 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-1FF-109, CXM-1FF-111, CXM-2FF-116 , DATED 08/01/1965 , APPEARS TO INDICATE 1104 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THIS CLAIM APPEARS TO BE CLAIMING TWO SEPARATE SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.