

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:** 40T 129997-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
RAYMOND G MARTIN  
994 GALBREATH RD  
BROWNING, MT 59417  
  
KATHRYN G MARTIN  
994 GALBREATH RD  
BROWNING, MT 59417  
  
FLOWEREE LAND & CATTLE CO LLC  
4230 OESTERLE RD  
HELENA, MT 59602  
  
DOUBLE T BISON RANCH LLC  
1395 S PLATTE RIVER DR  
DENVER, CO 80223

**Priority Date:** JULY 31, 1928  
**Enforceable Priority Date:** JULY 31, 1928

**Type of Historical Right:** USE

**Purpose (use):** STOCK

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Maximum Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** SAINT MARY RIVER  
**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		NESWNE	27	36N	14W	GLACIER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30  
**Diversion Means:** HEADGATE  
**Ditch Name:** ST. MARY CANAL

**Period of Use:** APRIL 1 to NOVEMBER 30

**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			S2S2NE	20	37N	12W	GLACIER
2			N2N2SE	20	37N	12W	GLACIER
3			S2N2NW	21	37N	12W	GLACIER
4			S2SWNW	21	37N	12W	GLACIER
5			S2NWSW	13	37N	13W	GLACIER
6			S2NESE	14	37N	13W	GLACIER

**Geocodes/Valid:** 38-4944-13-1-01-01-0000 - Y      38-4944-14-1-01-01-0000 - Y  
38-4945-20-4-01-01-0000 - Y      38-4945-21-2-01-01-0000 - Y  
38-4945-21-3-01-01-0000 - Y

**Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.  
THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

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**Remarks:**

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/26/1990.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 94633 RECEIVED 09/30/2011.

OWNERSHIP UPDATE TYPE 608 # 117897 RECEIVED 02/18/2014.

THIS CLAIM APPEARS TO BE FOR WATER PROVIDED BY THE BUREAU OF RECLAMATION UNDER CLAIM NO. 40960-00 . THIS CLAIM APPEARS TO BE REDUNDANT.

IT IS NOT CLEAR WHETHER THIS CLAIM IS A STATE-BASED WATER RIGHT OR PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE BLACKFEET TRIBE - MONTANA COMPACT. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.