

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:** 41P 159805-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** JAMES W JUDISCH JR  
PO BOX 17  
LEDGER, MT 59456  
CHERYL D JUDISCH  
PO BOX 17  
LEDGER, MT 59456

**Priority Date:** DECEMBER 31, 1900  
**Enforceable Priority Date:** DECEMBER 31, 1900

**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:** MARIAS RIVER (LAKE ELWELL)  
**Source Type:** SURFACE WATER  
ALSO KNOWN AS TIBER RESERVOIR

**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	4	W2	5	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
2	10	E2	6	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
3	6	NW	6	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
4		NE	7	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
5	1	W2NW	8	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
6	4	S2	8	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
7	3	S2	9	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
8	1	S2	10	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
9		NW	13	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
10		S2	13	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
11	4	N2	14	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
12	9	N2S2	14	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
13	3	N2N2	15	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
14		NWNE	24	30N	1E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
15	2	NWNW	19	30N	2E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
16		SWNW	20	30N	2E	TOOLE
<b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						

**Period of Use:** JANUARY 1 to DECEMBER 31

**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		4	W2	5	30N	1E	TOOLE
2		10	E2	6	30N	1E	TOOLE
3		6	NW	6	30N	1E	TOOLE
4			NE	7	30N	1E	TOOLE
5		1	W2NW	8	30N	1E	TOOLE
6		4	S2	8	30N	1E	TOOLE
7		3	S2	9	30N	1E	TOOLE
8		1	S2	10	30N	1E	TOOLE
9			NW	13	30N	1E	TOOLE
10			S2	13	30N	1E	TOOLE
11		4	N2	14	30N	1E	TOOLE
12		9	N2S2	14	30N	1E	TOOLE
13		3	N2N2	15	30N	1E	TOOLE
14			NWNE	24	30N	1E	TOOLE
15		2	NWNW	19	30N	2E	TOOLE
16			SWNW	20	30N	2E	TOOLE

<b>Geocodes/Valid:</b>		
	21-4209-05-2-02-01-0000 - Y	21-4209-05-3-02-01-0000 - Y
	21-4209-05-3-03-01-0000 - Y	21-4209-06-1-04-01-0000 - Y
	21-4209-06-4-01-01-0000 - Y	21-4209-07-1-01-01-0000 - Y
	21-4209-08-2-01-01-0000 - Y	21-4209-08-2-04-01-0000 - Y
	21-4209-08-3-03-01-0000 - Y	21-4209-09-3-01-01-0000 - Y
	21-4209-10-3-02-01-0000 - Y	21-4209-10-4-01-01-0000 - Y
	21-4209-13-1-03-01-0000 - Y	21-4209-13-3-01-01-0000 - Y
	21-4209-13-4-01-01-0000 - Y	21-4209-13-4-02-01-0000 - Y
	21-4209-14-1-01-01-0000 - Y	21-4209-14-2-02-01-0000 - Y
	21-4209-15-1-02-01-0000 - Y	21-4209-24-2-01-01-0000 - Y
	21-4210-19-3-01-01-0000 - Y	21-4210-20-1-01-01-0000 - Y

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**Remarks:**

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/04/85.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 9573 RECEIVED 07/16/2003.

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ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/17/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY THE BUREAU OF RECLAMATION.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/17/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY THE BUREAU OF LAND MANAGEMENT.  
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