

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 194164-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: WITHDRAWN

Owners:
BEVERLY M REHM
965 PARKVIEW COURT
DILLON, MT 59725-3255

WILLARD A REHM
965 PARKVIEW COURT
DILLON, MT 59725-3255

Priority Date: SEPTEMBER 19, 1884
Enforceable Priority Date: SEPTEMBER 19, 1884

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 5.31 CFS

Maximum Volume:
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 140.00

Source Name: BEAVERHEAD 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		NWNENW	27	3S	6W	MADISON

Period of Diversion: APRIL 15 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: A. BYERS DITCH

Period of Use: APRIL 15 to OCTOBER 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	40.00		SWNE	10	3S	6W	MADISON
2	60.00		S2NW	10	3S	6W	MADISON
3	40.00		NESW	10	3S	6W	MADISON
Total:	140.00						

Geocodes/Valid: 25-0687-10-1-01-01-0000 - Y 25-0687-10-2-01-05-0000 - 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.

194164-00 194165-00 195427-00 195428-00

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

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B) AND USES IT IN THE JEFFERSON RIVER DRAINAGE (BASIN 41G). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 04/29/2015.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 27323 RECEIVED 12/06/2005.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 118274, 118275, 195427, 195428.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 110 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON THE BEAVERHEAD RIVER WITH A PRIORITY DATE PREDATING CASE NO. 1053, BEAVERHEAD COUNTY.