

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 194264-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** JAMES C KENNEDY  
PO BOX 530255  
ATLANTA, GA 30353

**Priority Date:** OCTOBER 18, 1871

**Enforceable Priority Date:** OCTOBER 18, 1871

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 10.43 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:** 278.00

**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         |                 | NWNESW         | 16         | 4S         | 6W         | MADISON       |

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

**Diversion Means:** HEADGATE

**Ditch Name:** EASTMAN DITCH

**Period of Use:** APRIL 15 to OCTOBER 15

**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             | 9.00          |                 | S2SWSE         | 4          | 4S         | 6W         | MADISON       |
| 2             | 1.00          |                 | SESESW         | 4          | 4S         | 6W         | MADISON       |
| 3             | 30.00         |                 | NWNE           | 9          | 4S         | 6W         | MADISON       |
| 4             | 27.00         |                 | SENE           | 9          | 4S         | 6W         | MADISON       |
| 5             | 35.00         |                 | SWNE           | 9          | 4S         | 6W         | MADISON       |
| 6             | 7.00          |                 | E2NENW         | 9          | 4S         | 6W         | MADISON       |
| 7             | 29.00         |                 | SENE           | 9          | 4S         | 6W         | MADISON       |
| 8             | 3.00          |                 | SESWNW         | 9          | 4S         | 6W         | MADISON       |
| 9             | 12.00         |                 | NESE           | 9          | 4S         | 6W         | MADISON       |
| 10            | 36.00         |                 | NWSE           | 9          | 4S         | 6W         | MADISON       |
| 11            | 25.00         |                 | SWSE           | 9          | 4S         | 6W         | MADISON       |
| 12            | 31.00         |                 | NESW           | 9          | 4S         | 6W         | MADISON       |
| 13            | 8.00          |                 | E2NWSW         | 9          | 4S         | 6W         | MADISON       |
| 14            | 23.00         |                 | SESW           | 9          | 4S         | 6W         | MADISON       |
| 15            | 2.00          |                 | NESWSW         | 9          | 4S         | 6W         | MADISON       |
| <b>Total:</b> | <b>278.00</b> |                 |                |            |            |            |               |

**Geocodes/Valid:** 25-0592-09-2-01-10-1000 - Y

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/02/2001: SOURCE, POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, FLOW RATE AND PRIORITY DATE.

PLACE OF USE, MAXIMUM ACRES. THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/93:

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/04/2001.

---

**Remarks:**

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 13003 RECEIVED 03/01/2004.

OWNERSHIP UPDATE TYPE 608 # 44029 RECEIVED 01/22/2007.

OWNERSHIP UPDATE TYPE DOR # 99077 RECEIVED 11/04/2011.

THIS INTERBASIN TRANSFER CLAIM WAS NOT INCLUDED IN THE 41C BASIN TEMPORARY  
PRELIMINARY DECREE ISSUED 11/14/1990.