

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:** 41J 197876-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** VICTORIA E ZOELLNER  
% TIM CLARK  
PO BOX 240025  
DELL, MT 59724-0025

**Priority Date:** APRIL 1, 1890

**Enforceable Priority Date:** APRIL 1, 1890

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 1.67 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**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:** 44.20

**Source Name:** SMITH 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		NENWNE	35	10N	5E	MEAGHER

**Period of Diversion:** MAY 1 TO SEPTEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to SEPTEMBER 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	40.40		E2	26	10N	5E	MEAGHER
2	1.90		SESW	26	10N	5E	MEAGHER
3	1.90		NESESW	26	10N	5E	MEAGHER
<b>Total:</b>	44.20						

**Geocodes/Valid:** 47-1897-26-4-01-01-0000 - Y

**Remarks:**

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/01/1994.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/10/1995.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 1709 RECEIVED 11/30/2001.

OWNERSHIP UPDATE TYPE 608 # 4119 RECEIVED 06/25/2002.

OWNERSHIP UPDATE TYPE 608 # 4981 RECEIVED 07/08/2002.

OWNERSHIP UPDATE TYPE DOR # 138194 RECEIVED 12/03/2015.