

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:** 411 11136-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** DAVIS, D D RANCH CO  
131 DRY HOLLOW RD  
TOWNSEND, MT 59644-9797  
  
THREE D RANCH CO  
% DARREL D DAVIS  
21 DRY HOLLOW RD  
TOWNSEND, MT 59644  
  
DAVIS BAR TRIANGLE T RANCH INC  
% WILLIAM L DAVIS  
379 FLYNN LN  
TOWNSEND, MT 59644-9729

**Priority Date:** MAY 23, 1869  
**Enforceable Priority Date:** MAY 23, 1869

**Type of Historical Right:** DECREED

**Purpose (use):** FISH RACEWAYS  
**Maximum Flow Rate:** 9.29 CFS

THIS RIGHT IS FOR 5/28TH THE FLOW OF BIG SPRINGS AS DECREED IN CASE NO. 921, BROADWATER COUNTY.

**Maximum Volume:** 6,778.58 AC-FT

**Source Name:** BIG SPRINGS  
**Source Type:** GROUNDWATER

**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		NWSESE	6	4N	3E	BROADWATER

**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** HEADGATE  
**Ditch Name:** BIG SPRINGS DITCH

**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			N2NW	36	5N	2E	BROADWATER

**Geocodes/Valid:** 43-1393-36-1-01-01-0000 - Y

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

11134-00 11135-00 11136-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/21/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/21/88.

THE CLAIMED FLOW RATE WAS NOT EXAMINED BECAUSE NO FLOW RATE GUIDELINES FOR THIS PURPOSE HAVE BEEN ESTABLISHED BY THE CLAIM EXAMINATION RULES.

OWNERS DAVIS BAR TRIANGLE 'T' RANCH CO AND THREE D RANCH CO WERE ADDED BASED ON TRANSFERS RECEIVED 12/21/88. OWNERSHIP OF THE WATER RIGHT IS UNCLEAR. OWNERS LISTED APPEAR TO REPRESENT BONE FIDE INTEREST THAT CONFLICT. SEE DNRC MEMORANDUM DATED JANUARY 18, 1991 IN CLAIM FILE.

**Remarks:**

THE PRIORITY DATE IS QUESTIONABLE. CASE 921, BROADWATER COUNTY, DOES NOT SPECIFY A MONTH OR DAY BUT DECREED THE RIGHTS AS 'CONTEMPORANEOUS & WITHOUT PRIORITY AS BETWEEN SAID PARTIES'. THE CLAIMS FOLLOWING THIS STATEMENT ALL CLAIMED MAY 23, 1869. W011117-00, W011120-00, W011121-00, W011122-00, W011123-00, W011124-00, W011125-00, W011126-00, W011127-00, W011128-00, W011129-00, W011130-00, W011131-00, W011132-00, W011133-00, W011134-00, W011135-00, W011136-00, W011137-00, W011138-00, W011139-00, W011140-00, W011141-00, W011142-00.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THE FISH RACEWAYS PROJECT WAS NEVER COMPLETED OR USED.

THE USE OF THIS WATER APPEARS TO BE LARGELY NON-CONSUMPTIVE.

THE CLAIMED VOLUME EXCEEDS MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 6,744.07 ACRE-FEET PER YEAR.

THE CLAIMED VOLUME WAS NOT EXAMINED AS NO VOLUME GUIDELINES FOR THIS PURPOSE HAVE BEEN ESTABLISHED BY THE CLAIM EXAMINATION RULES.