

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: 41D 92754-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: DIAMOND ONE RANCH INC
PO BOX 5043
NAPA, CA 94581-0043

DOOLING LIVESTOCK CO
PO BOX 842
JACKSON, MT 59736-0842

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 15, 1901

Enforceable Priority Date: JUNE 15, 1901

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 4.00 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 243.00

Source Name: BERRY CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS MULKEY CREEK

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		SESWNE	1	7S	16W	BEAVERHEAD

Period of Diversion: MAY 20 TO OCTOBER 20

Diversion Means: DIVERSION DAM

Ditch Name: UPPER BERRY CREEK DITCH

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

Period of Use: MAY 20 to OCTOBER 20

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	6.00		S2SE	19	6S	15W	BEAVERHEAD
2	27.00		W2NW	29	6S	15W	BEAVERHEAD
3	116.00		NE	30	6S	15W	BEAVERHEAD
4	66.00		NW	30	6S	15W	BEAVERHEAD
5	4.00		NWNWSE	30	6S	15W	BEAVERHEAD
6	24.00		SW	30	6S	15W	BEAVERHEAD

Total: 243.00

Geocodes/Valid: 18-0408-19-4-04-01-0000 - Y 18-0408-29-1-01-01-0000 - Y
18-0408-30-4-01-01-0000 - 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.

92754-00 92772-00 182271-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1991: MAXIMUM ACRES,

Remarks:

PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/07/1982: FLOW RATE, VOLUME.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/02/2000: PLACE OF USE,
MAXIMUM ACRES.

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

IMPLIED CLAIM NO. 182271-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS
CLAIM.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/20/1998.

A PORTION OF THIS RIGHT OWNED BY DOOLING LIVESTOCK CO. MAY BE SUPPLEMENTAL TO 92756-00.