

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 120776-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

BARBARA A NITSCHKE  
282 SCHULTZ LN  
DILLON, MT 59725-8272

FREDERICK J MORGANTHALER  
PO BOX 68  
DILLON, MT 59725-0068

MICHELLE M MORGANTHALER  
PO BOX 68  
DILLON, MT 59725-0068

FLOYD T BARNES  
4294 MT HIGHWAY 91 NORTH  
DILLON, MT 59725

CYNTHIA K BARNES  
4294 MT HIGHWAY 91 NORTH  
DILLON, MT 59725

MICHAEL CLARKE  
212 SCHULTZ LN  
DILLON, MT 59725-8272

LINDSEY CLARKE  
212 SCHULTZ LN  
DILLON, MT 59725-8272

CORINNE K WELBORN  
100 CHOKECHERRY DR  
DILLON, MT 59725-9586

PFLIEGER MONTANA ENTERPRISES LLC  
PO BOX 298  
HAMILTON, MT 59840-0298

TOLMAN LIVESTOCK CO  
372 TOLMAN RD  
POWELL, WY 82435-8123

ANDREW P SUENRAM  
4486 MT HWY 91 N  
DILLON, MT 59725-7318

PERI R SUENRAM  
4486 MT HWY 91 N  
DILLON, MT 59725-7318

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

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

**Priority Date:** NOVEMBER 30, 1881

**Enforceable Priority Date:** NOVEMBER 30, 1881

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 5.00 CFS

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

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER

RESOURCES REGIONAL OFFICE.

**Climatic Area:** 3 - MODERATE  
**Maximum Acres:** 385.14  
**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		SWSWSE	7	7S	8W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO OCTOBER 31  
**Diversion Means:** HEADGATE  
**Ditch Name:** GUIDICI DITCH

**Period of Use:** APRIL 1 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	10.00		SWNENW	31	6S	8W	BEAVERHEAD
2	30.00		SEnw	31	6S	8W	BEAVERHEAD
3	22.00	2	SWNW	31	6S	8W	BEAVERHEAD
4	40.00		NEsw	31	6S	8W	BEAVERHEAD
5	34.47	3	NWSW	31	6S	8W	BEAVERHEAD
6	10.00		NESESW	31	6S	8W	BEAVERHEAD
7	10.00		NWSESW	31	6S	8W	BEAVERHEAD
8	34.58	4	SWSW	31	6S	8W	BEAVERHEAD
9	5.24		SWSWNE	6	7S	8W	BEAVERHEAD
10	39.86	3	NENW	6	7S	8W	BEAVERHEAD
11	31.07	4	NWNW	6	7S	8W	BEAVERHEAD
12	40.00		SEnw	6	7S	8W	BEAVERHEAD
13	23.86	5	SWNW	6	7S	8W	BEAVERHEAD
14	7.40		NWSE	6	7S	8W	BEAVERHEAD
15	33.00		NWNESW	6	7S	8W	BEAVERHEAD
16	13.66	6	NWSW	6	7S	8W	BEAVERHEAD
<b>Total:</b>	<b>385.14</b>						

**Geocodes/Valid:** 18-0326-06-3-02-10-0000 - Y 18-0326-06-3-03-01-0000 - Y  
18-0326-06-3-03-03-0000 - Y 18-0326-06-3-03-05-0000 - Y  
18-0326-06-3-03-07-0000 - Y 18-0326-06-3-03-09-0000 - Y  
18-0415-31-2-01-01-0000 - Y 18-0415-31-2-02-02-0000 - Y  
18-0415-31-3-01-01-0000 - Y 18-0415-31-3-01-05-0000 - Y  
18-0415-31-3-01-10-0000 - Y 18-0415-31-3-01-20-0000 - 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.

120775-00 120776-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/19/2007. OWNERSHIP UPDATE #45054. C & C NORTH RECEIVED PARCELS 8A AND 8B TULMAN LIVESTOCK MINOR SUBDIVISION NO. 2.

**OWNERSHIP UPDATE RECEIVED**

- OWNERSHIP UPDATE TYPE 608 # 45054 RECEIVED 03/19/2007.
- OWNERSHIP UPDATE TYPE 608 # 45187 RECEIVED 03/23/2007.
- OWNERSHIP UPDATE TYPE DOR # 84362 RECEIVED 02/24/2010.
- OWNERSHIP UPDATE TYPE DOR # 109673 RECEIVED 10/13/2010.
- OWNERSHIP UPDATE TYPE DOR # 97386 RECEIVED 07/25/2011.
- OWNERSHIP UPDATE TYPE DOR # 101974 RECEIVED 06/01/2012.
- OWNERSHIP UPDATE TYPE DOR # 104016 RECEIVED 09/06/2012.
- OWNERSHIP UPDATE TYPE DOR # 107711 RECEIVED 12/02/2012.
- OWNERSHIP UPDATE TYPE DOR # 113699 RECEIVED 08/06/2013.

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**Remarks:**

OWNERSHIP UPDATE TYPE 608 # 129932 RECEIVED 03/30/2015.

OWNERSHIP UPDATE TYPE 608 # 130049 RECEIVED 04/08/2015.

OWNERSHIP UPDATE TYPE DOR # 142594 RECEIVED 04/05/2016.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREEED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 200 MINER'S INCHES DECREEED IN CASE NO. 828, BEAVERHEAD COUNTY. 41B 26048-00, 41B 92152-00, 41B 120776-00, 41B 127853-00, 41B 127854-00, 41B 30046386-00.