

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: 41M 188844-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: BROKEN PICK LAND & CATTLE CO LLC
20 HILLS WAY
WHITEFISH, MT 59937

Priority Date: MAY 5, 1906

Enforceable Priority Date: MAY 5, 1906

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 8.00 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: 213.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK

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		NWNESE	27	29N	8W	PONDERA

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: DEVELOPED SPRING

Period of Use: APRIL 1 to SEPTEMBER 30

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	40.00		W2SW	13	29N	8W	PONDERA
2	5.00		E2SESE	14	29N	8W	PONDERA
3	50.00		NE	23	29N	8W	PONDERA
4	1.00		NENESE	23	29N	8W	PONDERA
5	24.00		NE	24	29N	8W	PONDERA
6	78.00		NW	24	29N	8W	PONDERA
7	15.00		NWSW	24	29N	8W	PONDERA
Total:	213.00						

Geocodes/Valid: 26-4094-13-2-03-01-0000 - Y 26-4094-14-4-04-01-0000 - Y
26-4094-23-4-03-02-0000 - Y 26-4094-24-1-02-01-0000 - 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.

188844-00 188846-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/04/2005: FLOW RATE, POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 09/02/2005.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/14/1997.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/13/1990.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 2255 RECEIVED 04/17/2002.

OWNERSHIP UPDATE TYPE 608 # 32054 RECEIVED 03/06/2006.

Remarks: