

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 194151-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** HELLE LIVESTOCK  
1350 STONE CREEK RD  
DILLON, MT 59725

**Priority Date:** AUGUST 16, 1919

**Enforceable Priority Date:** AUGUST 16, 1919

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 224.40 GPM

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

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 90.00

**Source Name:** SPRING, UNNAMED TRIBUTARY OF BACHELOR CANYON

**Source Type:** SURFACE WATER

ALSO KNOWN AS SAUER SPRING

**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		SESESW	14	7S	7W	MADISON

**Period of Diversion:** MARCH 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

2		SWNWSE	22	7S	7W	MADISON
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**Period of Diversion:** MARCH 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Period of Use:** MARCH 1 to NOVEMBER 1

**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		SESENE	22	7S	7W	MADISON
2	10.00		SWNWSW	23	7S	7W	MADISON
3	10.00		SENWNW	27	7S	7W	MADISON
4	10.00		NESWNW	27	7S	7W	MADISON
5	10.00		SWNWSE	27	7S	7W	MADISON
6	40.00		SESE	27	7S	7W	MADISON

**Total:** 90.00

**Geocodes/Valid:** 25-0328-22-1-01-01-0000 - Y 25-0328-23-2-01-01-0000 - 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.

194151-00 194160-00

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 102908 RECEIVED 08/31/2012.

OWNERSHIP UPDATE TYPE DOR # 139129 RECEIVED 01/28/2016.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

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**Remarks:**

PART OF THE CLAIMED PLACE OF USE APPEARS TO BE OWNED BY HELLE LIVESTOCK.  
THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 15 TO OCTOBER 15.  
USDA AERIAL PHOTOGRAPH NO(S). 178-42 , DATED 09/07/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.  
AERIAL PHOTOGRAPH NO(S). MMA-1-120 , DATED 10/09/1951 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.  
THIS CLAIM APPEARS TO BE CLAIMING TWO SEPARATE SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.