

**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:** 41A 95133-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** MARTINELL, LEE CO  
PO BOX 240077  
DELL, MT 59724-0077

**Priority Date:** MAY 1, 1884

**Enforceable Priority Date:** MAY 1, 1884

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 12.00 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:** 1,851.00

**Source Name:** BIG SHEEP CREEK

**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		SESWSE	17	13S	9W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO JULY 1

**Diversion Means:** HEADGATE

**Ditch Name:** LORD DITCH

**Period of Use:** MAY 1 to JULY 1

THIS RIGHT INCLUDES HIGH OR FLOOD WATERS OF BIG SHEEP CREEK.

**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	82.00		W2E2	30	12S	9W	BEAVERHEAD
2	9.00		SESE	30	12S	9W	BEAVERHEAD
3	214.00		W2	30	12S	9W	BEAVERHEAD
4	555.00			31	12S	9W	BEAVERHEAD
5	148.00		SW	32	12S	9W	BEAVERHEAD
6	40.00		W2NE	5	13S	9W	BEAVERHEAD
7	105.00		SE	5	13S	9W	BEAVERHEAD
8	319.00		W2	5	13S	9W	BEAVERHEAD
9	320.00		E2	6	13S	9W	BEAVERHEAD
10	59.00		E2NW	6	13S	9W	BEAVERHEAD
<b>Total:</b>	<b>1,851.00</b>						

<b>Geocodes/Valid:</b>	18-0045-05-3-01-01-0000 - Y	18-0045-05-4-02-01-0000 - Y
	18-0045-06-1-01-01-0000 - Y	18-0069-30-1-01-01-0000 - Y
	18-0069-31-1-01-01-0000 - Y	18-0069-31-3-01-01-0000 - Y
	18-0069-32-3-01-01-0000 - 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.

95133-00 95168-00 95169-00 95170-00 95171-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: FLOW RATE, MAXIMUM ACRES.

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**Remarks:**

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

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BIG SHEEP CREEK WITH A PRIORITY DATE PREDATING CASE NO. 3808, BEAVERHEAD COUNTY.