

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 42044-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: K WALLACE BRADLEY
826 ROBARE RD
VALIER, MT 59486

Priority Date: SEPTEMBER 20, 1939

Enforceable Priority Date: SEPTEMBER 20, 1939

Type of Historical Right: FILED

Purpose (use): STOCK

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Maximum Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER

Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH 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		W2NWNE	1	29N	8W	PONDERA

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NWSWSW	31	30N	7W	PONDERA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		NESESE	36	30N	8W	PONDERA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4		W2SESE	36	30N	8W	PONDERA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

5		S2SWSE	36	30N	8W	PONDERA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 to DECEMBER 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			W2NWNE	1	29N	8W	PONDERA
2			NWSWSW	31	30N	7W	PONDERA
3			NESESE	36	30N	8W	PONDERA
4			W2SESE	36	30N	8W	PONDERA
5			S2SWSE	36	30N	8W	PONDERA

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>
Geocodes/Valid:		26-4094-01-1-01-01-0000 - Y				26-4201-31-1-01-01-0000 - Y	
		26-4201-31-1-04-02-0000 - 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.

42044-00 42049-00

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

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

IT IS NOT CLEAR WHETHER THIS CLAIM IS A STATE-BASED WATER RIGHT OR PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE BLACKFEET TRIBE - MONTANA COMPACT. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.