

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:** 41C 48961-00 STATEMENT OF CLAIM  
**Version:** 2 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** LOTT BROTHERS INC  
406 N SENATOR ST  
TWIN BRIDGES, MT 59754-9609

**Priority Date:** JULY 31, 1951

**Enforceable Priority Date:** JULY 31, 1951

A DAY HAS BEEN ADDED TO THE PRIORITY DATE.

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 3.75 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:** 443.00

**Source Name:** WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BEAVERHEAD RIVER

**Source Type:** SURFACE WATER

ALSO KNOWN AS TASH-HARVEY DRAIN DITCH

THE SOURCE IS WATER COLLECTED IN THE TASH-HARVEY DRAIN DITCH.

**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		NENESW	34	3S	6W	MADISON

**Period of Diversion:** APRIL 28 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 28 to OCTOBER 19

**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	55.00		E2SE	22	3S	6W	MADISON
2	15.00		W2NW	26	3S	6W	MADISON
3	300.00		E2	27	3S	6W	MADISON
4	3.00		SENENW	27	3S	6W	MADISON
5	70.00		NE	34	3S	6W	MADISON
<b>Total:</b>	<b>443.00</b>						

**Geocodes/Valid:** 25-0687-22-4-04-01-0000 - Y      25-0687-26-2-01-01-0000 - Y  
25-0687-27-2-01-01-1000 - Y      25-0687-27-2-01-01-1001 - Y  
25-0687-34-1-02-01-0000 - Y      25-0687-34-1-02-10-0000 - 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.

48957-00    48958-00    48960-00    48961-00    48962-00    211269-00

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

THIS APPROPRIATION OF WATER TAKES WATER FROM THE RUBY RIVER DRAINAGE (BASIN 41C) AND USES IT IN THE JEFFERSON RIVER DRAINAGE (BASIN 41G), THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B) AND THE RUBY RIVER DRAINAGE (BASIN 41C). ANY OBJECTIONS TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

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**Remarks:**

USDA AERIAL PHOTOGRAPH NO(S). 178-123 , DATED 09/07/1979 , APPEARS TO INDICATE 330 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). MMA-2-42 , DATED 10/10/1951 , APPEARS TO INDICATE 307 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.