

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 49567-00 STATEMENT OF CLAIM  
**Version:** 2 -- CHANGE AUTHORIZATION  
**Version Status:** ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

**Owners:** H J RANCH LLC  
22 HERITAGE MEADOWS ROAD SE  
CALGARY AB T2H3C1  
CANADA  
  
ELVIRA S BERG  
4018 LINCOLN RD  
MISSOULA, MT 59802

**Priority Date:** APRIL 1, 1883  
**Enforceable Priority Date:** APRIL 1, 1883

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 4.00 CFS

**Maximum Volume:**  
**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 158.00

**Source Name:** BEAVERHEAD RIVER  
**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		NWSWNW	16	8S	9W	BEAVERHEAD

**Period of Diversion:** APRIL 1 TO NOVEMBER 30  
**Diversion Means:** HEADGATE

2		NESENE	9	8S	9W	BEAVERHEAD
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**Period of Diversion:** APRIL 1 TO NOVEMBER 30  
**Diversion Means:** PUMP

**Period of Use:** APRIL 1 to NOVEMBER 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	80.00		S2NE	9	8S	9W	BEAVERHEAD
2	40.00		NENE	9	8S	9W	BEAVERHEAD
3	5.00		NENWNE	9	8S	9W	BEAVERHEAD
4	10.00		SENWNE	9	8S	9W	BEAVERHEAD
5	5.00		SWNWNE	9	8S	9W	BEAVERHEAD
6	4.00		NESESE	4	8S	9W	BEAVERHEAD
7	4.00		SWSESE	4	8S	9W	BEAVERHEAD
8	10.00		SESESE	4	8S	9W	BEAVERHEAD

**Total:** 158.00

**Geocodes/Valid:** 18-0240-04-4-01-10-0000 - Y      18-0240-04-4-01-20-0000 - Y  
18-0240-09-1-01-01-0000 - Y

**Remarks:**

THE APPROPRIATOR SHALL NOT DIVERT WATER WITH THE NEW PUMP AND THE EXISTING HEADGATE AT THE SAME TIME.

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER AT A POINT IN THE DELIVERY LINE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE

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**Remarks:**

REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED, INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 26557 RECEIVED 11/23/2005.  
OWNERSHIP UPDATE TYPE 608 # 41127 RECEIVED 04/04/2006.  
OWNERSHIP UPDATE TYPE DOR # 110315 RECEIVED 05/13/2013.  
OWNERSHIP UPDATE TYPE DOR # 135460 RECEIVED 06/25/2015.