

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:** 76G 90616-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
FRED D BENSON  
PO BOX 326  
AVON, MT 59713-0326  
  
BRUCE B BENSON  
PO BOX 326  
AVON, MT 59713-0326  
  
EMMA P BENSON  
PO BOX 326  
AVON, MT 59713-0326  
  
DOROTHY BENSON  
PO BOX 326  
AVON, MT 59713-0326

**Priority Date:** AUGUST 4, 1916  
**Enforceable Priority Date:** AUGUST 4, 1916

**Type of Historical Right:** USE

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

**Maximum Flow Rate:** 3.13 CFS

**Maximum Volume:**  
**Climatic Area:** 5 - LOW

**Maximum Acres:** 193.00

**Source Name:** SIXMILE CREEK  
**Source Type:** SURFACE WATER

THE OWNER OF THE RIGHT SHALL NOT HAVE THE RIGHT TO CALL FOR WATER FROM THREE MILE CREEK, SIX MILE CREEK OR BRUSH HOLLOW.

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWNE	8	10N	8W	POWELL

**Period of Diversion:** APRIL 1 TO OCTOBER 19  
**Diversion Means:** HEADGATE

2			NWNESE	20	10N	8W	POWELL
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**Period of Diversion:** APRIL 1 TO OCTOBER 19  
**Diversion Means:** HEADGATE

3			NWSWSE	20	10N	8W	POWELL
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**Period of Diversion:** APRIL 1 TO OCTOBER 19  
**Diversion Means:** HEADGATE

4			NWSWSE	17	10N	8W	POWELL
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**Period of Diversion:** APRIL 1 TO OCTOBER 19  
**Diversion Means:** HEADGATE

5			NWSWSE	17	10N	8W	POWELL
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**Period of Diversion:** APRIL 1 TO OCTOBER 19  
**Diversion Means:** HEADGATE

6			SWSWSW	20	10N	8W	POWELL
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**Period of Diversion:** APRIL 1 TO OCTOBER 19  
**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 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	50.00		W2E2	20	10N	8W	POWELL
2	130.00			17	10N	8W	POWELL
3	13.00		N2N2NW	29	10N	8W	POWELL
<b>Total:</b>	193.00						

**Geocodes/Valid:** 28-1882-17-2-01-01-0000 - Y                      28-1882-20-1-01-01-0000 - Y  
28-1882-29-2-01-01-0000 - 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.

90616-00    90622-00    90623-00    90624-00    90626-00    90629-00    90632-00  
90637-00    90639-00    90640-00

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

52809-00    90583-00    90616-00    90622-00    90623-00    90624-00    90626-00  
90627-00    90629-00    90632-00    90636-00    90637-00    90639-00    90640-00

DUE TO THE PHYSICAL LOCATION OF THE LANDS IRRIGATED BY THIS RIGHT, THE OWNER OF THIS CLAIM MAY BE ABLE TO EXERCISE THIS RIGHT AT TIMES WHEN THE WATER IS UNAVAILABLE TO THE CO-OWNERS OF CLAIM 76G-W-090632-00.

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 106876 RECEIVED 12/31/2012.