

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

# GENERAL ABSTRACT

**A version with a more recent operating authority date exists. Contact DNRC for details.**

**Water Right Number:** 76F 98237-00 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:** MANNIX BROTHERS INC  
83 MANNIX RANCH DR  
HELMVILLE, MT 59843-9039

**Priority Date:** NOVEMBER 1, 1865

**Enforceable Priority Date:** NOVEMBER 1, 1865

**Purpose (use):** IRRIGATION  
FISHERY

**Purpose Clarification:** INSTREAM FLOW

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.25 CFS

**Maximum Volume:** 233.50 AC-FT

**Climatic Area:** 5 - LOW

**Maximum Acres:** 189.00

**Source Name:** WASSON CREEK

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWNE	13	13N	11W	POWELL

**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Ditch Name:** SPEIKER DITCH

2		SWSWSW	7	13N	10W	POWELL
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**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Diversion Means:** HEADGATE

3		SESWSW	7	13N	10W	POWELL
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**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Diversion Means:** HEADGATE

4		S2NW	13	13N	10W	POWELL
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**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Diversion Means:** DIVERSION DAM

5		SESWSW	7	13N	10W	POWELL
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**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Diversion Means:** INSTREAM

6		SE	12	13N	11W	POWELL
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**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Diversion Means:** INSTREAM

7		N2	13	13N	11W	POWELL
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**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Diversion Means:** INSTREAM

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
8		NENE	14	13N	11W	POWELL

**Period of Diversion:** APRIL 15 TO OCTOBER 19  
**Diversion Means:** INSTREAM

9		SE	11	13N	11W	POWELL
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**Period of Diversion:** APRIL 15 TO OCTOBER 19  
**Diversion Means:** INSTREAM

DITCH NAME: SPIEKER DITCH

THIS RIGHT FOR INSTREAM USE APPLIES FROM THE SESWSW SEC 7 TWP 13N RGE 10W IN POWELL COUNTY DOWNSTREAM TO THE CONFLUENCE WITH NEVADA SPRING CREEK IN POWELL COUNTY.

POINT OF DIVERSION NO. 4 IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

**Period of Use:** APRIL 15 to OCTOBER 31  
APRIL 15 to OCTOBER 19

**Purpose (Use):** IRRIGATION

**Period of Use:** APRIL 15 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	9.00		S2SWSW	7	13N	10W	POWELL
2	27.00		S2SE	12	13N	11W	POWELL
3	31.00		N2SW	13	13N	11W	POWELL
4	2.00		NWNWNW	18	13N	10W	POWELL
5	53.00		N2NE	13	13N	11W	POWELL
6	22.00		SWNW	13	13N	11W	POWELL
7	9.00		N2SWNE	13	13N	11W	POWELL
8	24.00		SENE	13	13N	11W	POWELL
9	12.00		E2E2NE	14	13N	11W	POWELL
<b>Total:</b>	<b>189.00</b>						

**Purpose (Use):** FISHERY

**Period of Use:** APRIL 15 to OCTOBER 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			SESWSW	7	13N	10W	POWELL
2			SE	12	13N	11W	POWELL
3			N2	13	13N	11W	POWELL
4			NENE	14	13N	11W	POWELL
5			SE	11	13N	11W	POWELL

**Geocodes/Valid:** 28-2208-12-1-01-01-0000 - Y      28-2208-13-1-01-01-0000 - Y  
28-2208-14-1-01-01-0000 - Y      28-2209-07-2-01-01-0000 - Y  
28-2209-18-2-01-01-0000 - 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.

98221-00    98225-00    98226-00    98227-00    98235-00    98236-00    98237-00  
98238-00    98241-00    98242-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/03/1991.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/31/1984.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/28/1989.

THIS TEMPORARY RIGHT EXPIRES ON 09/20/2016

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 84071 RECEIVED 12/22/2009.