

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: 76GJ 99009-00 STATEMENT OF CLAIM
Version: 2 -- REEXAMINED
Version Status: ACTIVE

Owners: JOYCE J FIX
95 HENDERSON CREEK RD
HALL, MT 59837-9600
ROGER S FIX
95 HENDERSON CREEK RD
HALL, MT 59837-9600

Priority Date: MAY 2, 1872
Enforceable Priority Date: MAY 2, 1872

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 1.50 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 45.00

Source Name: SMART 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		SWNWNW	33	9N	13W	GRANITE

Period of Diversion: MAY 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: MELLEN - PERSON DITCH

Period of Use: MAY 1 to OCTOBER 15

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	15.00		W2NESW	28	9N	13W	GRANITE
2	15.00		E2NWSW	28	9N	13W	GRANITE
3	5.00		NWSESW	28	9N	13W	GRANITE
4	10.00		NESWSW	28	9N	13W	GRANITE
Total:	45.00						

Geocodes/Valid: 46-1772-28-3-01-01-0000 - 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.

99009-00 99011-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/86.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/12/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/25/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/26/95.

Remarks:

POINT OF DIVERSION AND DITCH NAME MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.