

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:** 43D 125726-00 STATEMENT OF CLAIM

**Version:** 3 -- REEXAMINED

**Version Status:** ACTIVE

**Owners:**  
SCOTT B MCGREGOR  
166 COONEY RD  
ROBERTS, MT 59070-9567  
  
CHARLES R MCGREGOR  
166 COONEY RD  
ROBERTS, MT 59070-9567

**Priority Date:** MAY 15, 1899

**Enforceable Priority Date:** MAY 15, 1899

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 1.00 CFS

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

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 600.00

**Source Name:** ROCK 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		NWSWSW	32	5S	21E	CARBON

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** RULE-THOMPSON (GLANTZ-SCHANK) DITCH

2- SECONDARY		NWSWSW	20	5S	21E	CARBON
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**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** HYCKE DITCH

3- SECONDARY		SWSWSW	20	5S	21E	CARBON
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**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

THIS ROCK CREEK WATER RIGHT USES DRY CREEK AS A NATURAL CARRIER. THE SCHANK DITCH INTERSECTS DRY CREEK IN THE SWSWSW SEC 20 T5S R21E. THE TWO DIVERSIONS OUT OF DRY CREEK ARE LOCATED IN THE SWSWSW SEC 20 T5S R21E AND THE NWSWSW SEC 20 T5S R21E.

**Period of Use:** APRIL 1 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	40.00		SESE	8	5S	21E	CARBON
2	40.00		SW	8	5S	21E	CARBON
3	38.00		SWSE	9	5S	21E	CARBON
4	80.00		S2SW	9	5S	21E	CARBON
5	30.00		SWNW	16	5S	21E	CARBON
6	294.00		N2	17	5S	21E	CARBON
7	20.00		SENE	18	5S	21E	CARBON
8	58.00		N2NW	18	5S	21E	CARBON

**Total:** 600.00

**Geocodes/Valid:** 10-0534-08-3-01-01-0000 - Y 10-0534-08-3-02-01-0000 - Y  
10-0534-09-3-03-01-0000 - Y 10-0534-16-2-01-01-0000 - Y  
10-0534-17-1-01-01-0000 - Y 10-0534-17-2-02-01-0000 - Y

10-0534-18-1-01-01-0000 - Y

10-0534-18-2-01-01-0000 - Y

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**Remarks:**

THE MEANS OF DIVERSION WAS AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

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

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.