

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: 76M 116758-00 STATEMENT OF CLAIM
Version: 3 -- 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: RALPH E SIEVERS
PO BOX 697
ANACONDA, MT 59711-0697

CHARLOTTE J SIEVERS
PO BOX 697
ANACONDA, MT 59711-0697

LEROY R KINCEL
20010 CONIFER DR
HUSON, MT 59846

LINDA R KINCEL
20010 CONIFER DR
HUSON, MT 59846

LEE YELIN
5890 KERR DR
MISSOULA, MT 59803

Priority Date: APRIL 28, 1921
Enforceable Priority Date: APRIL 28, 1921

Purpose (use): INSTREAM FISHERY
Maximum Flow Rate: 1.25 CFS
Historical Flow Rate: 1.25 CFS
Maximum Volume:

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

Historical Diverted Volume: 325.11 AC-FT

Historical Consumptive Volume: 30.48 AC-FT

Source Name: SIXMILE 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		N2SWNW	7	15N	21W	MISSOULA

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: INSTREAM

2		S2NE	12	15N	22W	MISSOULA
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: INSTREAM

3		SESENW	12	15N	22W	MISSOULA
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: INSTREAM

4		E2NESW	12	15N	22W	MISSOULA
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: INSTREAM

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		SWNESW	12	15N	22W	MISSOULA

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: INSTREAM

6		NWSESW	12	15N	22W	MISSOULA
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: INSTREAM

Period of Use: APRIL 1 to OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2SWNW	7	15N	21W	MISSOULA
2			S2NE	12	15N	22W	MISSOULA
3			SESESW	12	15N	22W	MISSOULA
4			E2NESW	12	15N	22W	MISSOULA
5			SWNESW	12	15N	22W	MISSOULA
6			NWSESW	12	15N	22W	MISSOULA

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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

THE RIGHT ISSUED ON 10/24/2011 WAS REISSUED. THE RIGHT WAS REISSUED BECAUSE THE PRIORITY DATE WAS CHANGED BY THE MONTANA WATER COURT THROUGH THE OBJECTION PROCESS.

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 76M 30048497, 76M 30048498, 76M 30048499.

THE APPLICANT OR IT'S DESIGNEE SHALL MEASURE THE PROTECTED REACH OF SIXMILE CREEK BY TAKING FLOW MEASUREMENTS AT THE LEBERT-BISSONETTE DITCH HEADGATE WHICH IS LOCATED IN THE SWSSEW, SEC 7, TWP 15N, RGE 21W, MISSOULA COUNTY. MEASUREMENTS WILL BE TAKEN MONTHLY FROM JUNE THROUGH SEPTEMBER. THIS TEMPORARY CHANGE AUTHORIZATION, IN CONJUNCTION WITH TEMPORARY CHANGE AUTHORIZATION 76M 30049149 FOR INSTREAM FLOW, ALLOWS FOR A CALL FOR WATER FROM UPSTREAM JUNIOR SIXMILE CREEK WATER USERS WHEN THE STREAM FLOW MEASURED ON SIXMILE CREEK BY THE APPLICANT OR IT'S DESIGNEE FALLS BELOW 2.05 CFS WITHIN THE AFOREMENTIONED TIMEFRAME. THE RECORDED FLOW RATE MEASUREMENTS MUST BE SENT TO THE DNRC MISSOULA REGIONAL OFFICE BY NOVEMBER 30 EACH YEAR DURING THE TEMPORARY CHANGE AUTHORIZATION.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 40910 RECEIVED 08/11/2006.
 OWNERSHIP UPDATE TYPE 641 # 81490 RECEIVED 08/27/2010.
 OWNERSHIP UPDATE TYPE 641 # 81492 RECEIVED 10/14/2010.
 OWNERSHIP UPDATE TYPE 641 # 84272 RECEIVED 01/19/2011.
 OWNERSHIP UPDATE TYPE 641 # 85897 RECEIVED 03/23/2011.
 OWNERSHIP UPDATE TYPE 641 # 101426 RECEIVED 05/25/2012.
 OWNERSHIP UPDATE TYPE 641 # 102364 RECEIVED 08/10/2012.