

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:** 76H 120061-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** BIG CREEK LAKES RESERVOIR ASSOC  
% KAY NEAL  
2850 RIPPLING WOODS  
VICTOR, MT 59875

**Priority Date:** AUGUST 21, 1905

**Enforceable Priority Date:** AUGUST 21, 1905

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Maximum Volume:** 2,420.00 AC-FT

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 4,977.00

**Source Name:** BIG 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		NW	34	9N	22W	RAVALLI

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

DITCH NAME: SANDERS-MITTOWER-NICHOLS NO. 1 DITCH (STORAGE)

DITCH NAME: LANGTON B DITCH (STORAGE)

DITCH NAME: LANGTON A DITCH (STORAGE)

DITCH NAME: COLE DITCH (STORAGE)

DITCH NAME: CLARK-MCCUNE DITCH (STORAGE)

DITCH NAME: HUMBLE DITCH (STORAGE)

DITCH NAME: BUKER B DITCH (STORAGE)

DITCH NAME: SANDERS-MITTOWER-NICHOLS NO. 2 DITCH (STORAGE)

DITCH NAME: STRANGE A DITCH (STORAGE)

DITCH NAME: STRANGE B DITCH (STORAGE)

DITCH NAME: PARKHILL DITCH (STORAGE)

DITCH NAME: BIG DITCH (STORAGE)

WATER RELEASED FROM BIG CREEK LAKES IS CONVEYED IN BIG CREEK, WHICH IS USED AS A NATURAL CARRIER, TO THE SECOND POINTS OF DIVERSION.

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

**Reservoir:** ON STREAM **Reservoir Name** BIG CREEK LAKES

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NW	34	9N	22W	RAVALLI

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 16.70 FEET

**Surface Area:** 241.00 ACRES

**Current Capacity:** 3,261.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**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	80.00		E2SE	11	8N	21W	RAVALLI
2	640.00			12	8N	21W	RAVALLI
3	640.00			13	8N	21W	RAVALLI
4	160.00		E2E2	14	8N	21W	RAVALLI
5	640.00			24	8N	21W	RAVALLI
6	160.00		N2N2	25	8N	21W	RAVALLI
7	80.00		S2SE	6	8N	20W	RAVALLI
8	617.00			7	8N	20W	RAVALLI
9	320.00		W2	8	8N	20W	RAVALLI
10	320.00		W2	17	8N	20W	RAVALLI
11	620.00			18	8N	20W	RAVALLI
12	620.00			19	8N	20W	RAVALLI
13	80.00		W2NW	20	8N	20W	RAVALLI
<b>Total:</b>	<b>4,977.00</b>						

**Geocodes/Valid:** -- NO VALID GEOCODES --

**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.

120061-00 120062-00 215914-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

120060-00 120061-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/13/95: CO-OWNER, VOLUME, PERIOD OF USE, PRIORITY DATE.

UNDER THE TERMS OF A STIPULATION FILED WITH THE MONTANA WATER COURT, THE ANNUAL MAXIMUM ACRES IRRIGATED WITHIN THE BIG CREEK LAKES RESERVOIR ASSOCIATION SERVICE AREA CANNOT EXCEED 3,200.00 ACRES. SEE WATER COURT CASE FILE 76HF-159 OR CLAIMS FILES 76H 9849-00, 76H 120060-00, AND 76H 120061-00 FOR MORE INFORMATION.

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