

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:** 43A 155812-00 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:** ALICE L COPPIN  
PO BOX 256  
CLYDE PARK, MT 59018-0256  
  
JOHN J MCINERNEY  
PO BOX 256  
CLYDE PARK, MT 59018-0256  
  
ATKINSON, MELISSA P REVOCABLE TRUST  
2440 E 28TH ST  
TULSA, OK 74114-5611  
  
ATKINSON ET AL 401 K PLAN  
ATTN: TRUSTEES  
525 S MAIN ST  
TULSA, OK 74103

**Priority Date:** MAY 10, 1885  
**Enforceable Priority Date:** MAY 10, 1885

**Purpose (use):** IRRIGATION  
FISHERY

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 4.38 CFS

**Maximum Volume:**  
**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 141.80

**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		NENE	29	2N	10E	PARK

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** GILBERT-SMITH-COOK DITCH

2		SWNENW	29	2N	10E	PARK
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**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** GILBERT-SMITH-ET AL DITCH

**Reservoir:** OFF STREAM  

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSWNE	30	2N	10E	PARK

**Depth:** 12.00 FEET

**Surface Area:** 1.00 ACRES

**Current Capacity:** 6.00 ACRE-FEET

**Reservoir:** OFF STREAM  

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2SWSW	20	2N	10E	PARK

**Depth:** 12.00 FEET

**Surface Area:** 1.00 ACRES

**Current Capacity:** 6.00 ACRE-FEET

**Reservoir:** OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSWSW	20	2N	10E	PARK

**Depth:** 12.00 FEET

**Surface Area:** 1.00 ACRES

**Current Capacity:** 6.00 ACRE-FEET

**Period of Use:** JANUARY 1 to DECEMBER 31  
APRIL 1 to NOVEMBER 1

**Purpose (Use):** IRRIGATION

**Period of Use:** APRIL 1 to NOVEMBER 1

**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	95.80		NE	30	2N	10E	PARK
2	10.00		NWSE	30	2N	10E	PARK
3	36.00		S2SE	19	2N	10E	PARK
<b>Total:</b>	141.80						

**Purpose (Use):** FISHERY

**Period of Use:** JANUARY 1 to DECEMBER 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			SWSWNE	30	2N	10E	PARK

**Geocodes/Valid:** 49-1115-19-4-01-01-0000 - Y      49-1115-20-3-01-01-0000 - Y  
49-1115-30-1-01-01-0000 - Y      49-1115-30-1-05-01-0000 - Y

**Remarks:**

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF APPOINTED, TO MEASURE AND DISTRIBUTE WATER. THE APPROPRIATORS SHALL PAY THEIR SHARE OF THE FEES, COMPENSATION, AND EXPENSES INCURRED IN THE DISTRIBUTION OF THE WATERS. THE FEE WILL BE SET BY DISTRICT COURT. THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT A POINT APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF OPERATION. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 13076 RECEIVED 03/09/2004.  
OWNERSHIP UPDATE TYPE 608 # 44520 RECEIVED 02/22/2007.