

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:** 41G 195410-00 STATEMENT OF CLAIM  
**Version:** 2 -- 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:**  
TROY C SMITH  
550 CEDAR HILLS RD  
WHITEHALL, MT 59759-8604  
  
DONALD L KRONENBERGER JR  
9 N EXCELSIOR AVE  
BUTTE, MT 59701-9047  
  
BRETT N KRONENBERGER  
9 N EXCELSIOR AVE  
BUTTE, MT 59701-9047

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** JULY 1, 1866  
**Enforceable Priority Date:** JULY 1, 1866

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.88 CFS

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

**Maximum Acres:** 50.00

**Source Name:** LITTLE FISH CREEK  
**Source Type:** SURFACE WATER

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**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		NWNWNE	6	1S	5W	SILVER BOW

**Period of Diversion:** MAY 1 TO NOVEMBER 1  
**Source Name:** FISH CREEK  
**Diversion Means:** HEADGATE  
**Ditch Name:** HICKMAN DITCH NO. 4

2		NWNWSE	6	1S	5W	SILVER BOW
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**Period of Diversion:** MAY 1 TO NOVEMBER 1  
**Source Name:** LITTLE FISH CREEK  
**Diversion Means:** HEADGATE  
**Ditch Name:** HICKMAN DITCH

3		NWSWNW	6	1S	5W	SILVER BOW
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**Period of Diversion:** MAY 1 TO NOVEMBER 1  
**Source Name:** LITTLE FISH CREEK  
**Diversion Means:** HEADGATE  
**Ditch Name:** HICKMAN DITCH NO. 1

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNESW	31	1N	5W	SILVER BOW

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

**Source Name:** FISH CREEK

**Diversion Means:** HEADGATE

**Ditch Name:** HICKMAN DITCH NO. 2

**Period of Use:** MAY 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	12.00		NESWSE	31	1N	5W	SILVER BOW
2	4.50		NWSWSE	31	1N	5W	SILVER BOW
3	15.00		SWNE	6	1S	5W	SILVER BOW
4	15.00		NESW	6	1S	5W	SILVER BOW
5	1.50		SWSNW	6	1S	5W	SILVER BOW
6	2.00		NWNWSE	6	1S	5W	SILVER BOW
<b>Total:</b>	50.00						

**Geocodes/Valid:** 01-0890-06-1-01-01-0000 - Y                      01-0996-31-4-01-01-0000 - Y

**Remarks:**

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS.

ANYTIME AFTER THIS RIGHT IS ISSUED AND COMPETITION FOR WATER ON THE SOURCE BECOMES AN ISSUE, THE DEPARTMENT MAY REQUIRE THE APPROPRIATOR TO INSTALL A WATER USE MEASURING DEVICE AND SUBMIT THE RECORDS OF THE FLOW RATE OR VOLUME OR BOTH OF ALL WATER DIVERTED.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 68 RECEIVED 12/20/2001.

OWNERSHIP UPDATE TYPE 608 # 76090 RECEIVED 12/31/2009.

OWNERSHIP UPDATE TYPE DOR # 125250 RECEIVED 07/12/2011.