

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

# GENERAL ABSTRACT

**See most recent Authorization for current water right details.**

**Water Right Number:** 41G 199026-00 STATEMENT OF CLAIM  
**Version:** 2 -- REEXAMINED

**Version Status:** ACTIVE

**Owners:** SIMPSON, KATHRYN L 2006 REVOCABLE TRUST  
PO BOX 627  
243 PONY RD (HWY 283)  
PONY, MT 59747-0627

J MICHELLE WALKER  
PO BOX 171  
HARRISON, MT 59735

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

**Priority Date:** DECEMBER 31, 1915

**Enforceable Priority Date:** DECEMBER 31, 1915

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 2.00 CFS

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

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 100.00

**Source Name:** SOUTH WILLOW 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		NESWE	10	2S	2W	MADISON

**Period of Diversion:** APRIL 15 TO SEPTEMBER 10

**Diversion Means:** HEADGATE

**Ditch Name:** ANDERSON DITCH

2		SWSENW	15	2S	2W	MADISON
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**Period of Diversion:** APRIL 15 TO SEPTEMBER 10

**Diversion Means:** HEADGATE

**Ditch Name:** CARMIN BELL DITCH

**Period of Use:** APRIL 15 to SEPTEMBER 10

**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	28.00		SESE	10	2S	2W	MADISON
2	29.00		NESE	10	2S	2W	MADISON
3	35.00		NWSW	11	2S	2W	MADISON
4	8.00		S2SWNW	11	2S	2W	MADISON

**Total:** 100.00

**Geocodes/Valid:** 25-0789-10-4-01-01-0000 - Y      25-0789-11-3-01-05-0000 - Y  
25-0789-11-3-01-30-0000 - Y

**Remarks:**

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.

199026-00      199027-00

**Remarks:**

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/03/00.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 45661 RECEIVED 04/01/2002.

OWNERSHIP UPDATE TYPE 608 # 1825 RECEIVED 04/01/2002.

THIS CLAIM PRESENTS ISSUES OF FACT AND LAW THAT MAY BE ADDRESSED AT THE OBJECTION STAGE. IT APPEARS THAT 85.00 ACRES ARE ACTUALLY IRRIGATED AND PROBLEMS COULD EXIST WITH FLOW RATE AND VOLUME. TO ASSURE THE ORDERLY ADMINISTRATION OF WATER RIGHTS, THE WATER COURTS WILL SET A HEARING TO DETERMINE THESE ISSUES IF NO OBJECTIONS ARE MADE.

POINT OF DIVERSION WAS 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.

THE SOURCE NAME HAS BEEN CHANGED TO BE CONSISTENT WITH THE 1988 UNITED STATES GEOLOGICAL SURVEY QUADRANGLE FOR THIS AREA. SOURCE NAME OF THIS CLAIM HAS BEEN CHANGED FROM WILLOW CREEK TO SOUTH WILLOW CREEK. BECAUSE OF INCONSISTENT SOURCE NAMES APPEARING IN THE TEMPORARY PRELIMINARY DECREE DURING THE OBJECTION PERIOD, ANY WATER USER WHOSE RIGHTS HAVE BEEN ADVERSELY AFFECTED BY THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.