

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: 41J 207442-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MEAGHER COUNTY NEWLAN CREEK WATER DISTRICT
% STEVE BUCKINGHAM
859 MT HWY 360
WHITE SULPHUR SPRINGS, MT 59645

Priority Date: JULY 11, 1969

Enforceable Priority Date: JULY 11, 1969

Type of Historical Right: DECREED

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 75.00 CFS

THE WATER RIGHTS FOLLOWING THIS STATEMENT HAVE AN UNDIVIDED INTEREST IN A SINGLE WATER RIGHT FOR 75 CFS AS DECREED IN CASE NO. 4501 , MEAGHER COUNTY. 207441-00, 207442-00, 207443-00, 207444-00.

Maximum Volume: 720.00 AC-FT

Source Name: SHEEP 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		SWSWSE	26	12N	7E	MEAGHER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: HOLMSTROM DITCH

WATER DIVERTED FROM SHEEP CREEK IS CONVEYED TO NEWLAN CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE SWSWSE SEC 11 TWP 10N RGE 6E MEAGHER COUNTY.

Reservoir: OFF STREAM **Reservoir Name** NEWLAN CREEK

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSWSE	11	10N	6E	MEAGHER

Diversion to Reservoir: DIVERSION # 1

Dam Height: 122.00 FEET

Depth: 106.00 FEET

Surface Area: 327.00 ACRES

Current Capacity: 14,030.00 ACRE-FEET

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

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				11	10N	6E	MEAGHER
2				12	10N	6E	MEAGHER

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.

207441-00 207442-00 207443-00 207444-00

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

Remarks:

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THIS RIGHT WAS NOT USED PRIOR TO JULY 1, 1973 . ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

THIS CLAIM APPEARS TO DIVERT WATER FROM SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.