

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 207444-00 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): IRRIGATION

Purpose Clarification: STORAGE FOR SALE FOR IRRIGATION USE

Irrigation Type: FLOOD

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.

Maximum Volume: 11,350.00 AC-FT

THE DECREE STIPULATES THAT THE COMBINATION OF STORED WATER AND DIRECT FLOW WATER SHALL NOT EXCEED 11,350 ACRE FEET, AND THAT NO MORE THAN 11,350 ACRE FEET CAN COME FROM STORAGE.

Climatic Area: 4 - MODERATELY LOW

Source Name: SHEEP CREEK

Source Type: SURFACE WATER

THE DECREE STATES IN PARAGRAPH 13: ". . . DIVERT FROM SHEEP CREEK, WHEN COMBINED WITH THE FLOWS OF NEWLAN CREEK . . ."

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		SWSESW	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 RESERVOIR

<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			SWSWSE	11	10N	6E	MEAGHER

Remarks:

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.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

IT IS NOT CLEAR FROM DOCUMENTATION SUBMITTED WITH THIS CLAIM WHAT PART OF THE VOLUME AND PLACE OF USE HAVE BEEN PERFECTED.

NO MAXIMUM ACRES WERE CLAIMED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

PLACE OF USE SERVICE AREA CANNOT BE DETERMINED USING INFORMATION RECEIVED FROM CLAIMANT.

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.

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

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.