

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:** 40N 210855-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** ROCK CREEK CANAL CO  
PO BOX 417  
HINSDALE, MT 59241

**Priority Date:** NOVEMBER 18, 1902

**Enforceable Priority Date:** NOVEMBER 18, 1902

CASE NO. 7945 VALLEY COUNTY DECREES RIGHT TO 7TH USE.

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 140.00 CFS

PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.

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

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 8,560.00

**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		SE	3	31N	36E	VALLEY

**Period of Diversion:** MARCH 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Reservoir:** ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SE	3	31N	36E	VALLEY

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** MARCH 1 to OCTOBER 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	640.00			22	31N	36E	VALLEY
2	640.00			26	31N	36E	VALLEY
3	640.00			27	31N	36E	VALLEY
4	640.00			28	31N	36E	VALLEY
5	160.00		SW	23	31N	36E	VALLEY
6	640.00			25	31N	36E	VALLEY
7	640.00			34	31N	36E	VALLEY
8	640.00			35	31N	36E	VALLEY
9	640.00			36	31N	36E	VALLEY
10	640.00			1	30N	36E	VALLEY
11	640.00			2	30N	36E	VALLEY
12	320.00		N2	3	30N	36E	VALLEY
13	640.00			12	30N	36E	VALLEY
14	640.00			31	31N	37E	VALLEY
15	640.00			32	31N	37E	VALLEY
16	640.00			30	31N	37E	VALLEY
17	640.00			29	31N	37E	VALLEY
18	640.00			6	30N	37E	VALLEY
19	640.00			3	30N	37E	VALLEY
20	640.00			4	30N	37E	VALLEY
21	640.00			5	30N	37E	VALLEY
22	320.00		W2	2	30N	37E	VALLEY
23	320.00		N2	9	30N	37E	VALLEY
24	80.00		W2NW	11	30N	37E	VALLEY

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
25	640.00			10	30N	37E	VALLEY
26	640.00			15	30N	37E	VALLEY
27	320.00		W2	13	30N	37E	VALLEY
28	640.00			14	30N	37E	VALLEY
29	160.00		NE	10	31N	36E	VALLEY
<b>Total:</b>	15,760.00						

THE ROCK CREEK CANAL COMPANY PROVIDES WATER TO ITS SHAREHOLDERS TO IRRIGATE APPROXIMATELY 8,560.00 ACRES. THE PLACE OF USE LISTED IS A BOUNDARY FOR THE ROCK CREEK CANAL COMPANY. WITHIN THE BOUNDARY, THE PLACE OF USE VARIES FROM YEAR TO YEAR.

**Geocodes/Valid:** -- NO VALID GEOCODES --

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**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

168159-00 210855-00

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

THIS IMPLIED CLAIM WAS CREATED BASED ON INFORMATION IN CLAIM NO. 168159-00 , PRIOR TO WATER COURT AUTHORIZATION BEING REQUIRED.