

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:** 41I 216100-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE  
**Late Claim:** B

**Owners:** DAVID A HAUG  
33 WILLOW CREEK RD  
LIVINGSTON, MT 59047-9222

**Priority Date:** JANUARY 1, 1875

**Enforceable Priority Date:** JUNE 30, 1973

CLAIM FILED LATE 07/02/96 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

**Type of Historical Right:** USE

**Purpose (use):** MINING

**Maximum Flow Rate:** 2.00 CFS

**Maximum Volume:** 971.00 AC-FT

**Source Name:** MINNEHAHA 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		SWNWNW	31	9N	5W	LEWIS AND CLARK

**Period of Diversion:** APRIL 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

2		NW	6	8N	5W	LEWIS AND CLARK
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**Period of Diversion:** APRIL 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 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			SW	31	9N	5W	LEWIS AND CLARK
2			SESESE	36	9N	6W	LEWIS AND CLARK
3			NW	6	8N	5W	LEWIS AND CLARK

THE PLACE OF USE INCLUDES MINERAL SURVEY NO. 1738, 1765, 1766, 1743, 1767, 2206, 2207, 2212, 1433.

**Geocodes/Valid:** 05-1780-25-1-01-01-0000 - Y      05-1781-31-1-01-01-0000 - 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.

216100-00      216101-00

THE FLOW RATE, VOLUME, POINT OF DIVERSION, PERIOD OF USE, PERIOD OF DIVERSION, AND PLACE OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

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

CLAIM RECEIVED BY MAIL, POSTMARKED 07/01/96.

THE CLAIMED FLOW RATE MAY BE HIGH FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

CLAIM WAS NOT INCLUDED IN THE BASIN 41I TEMPORARY PRELIMINARY DECREE ISSUED 03/08/95.

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**Remarks:**

CLAIM FILED LATE 07/02/96 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THE LEGAL LAND DESCRIPTION FOR POINTS OF DIVERSION NO. 1 AND 2 COULD NOT BE REFINED FROM INFORMATION IN THE FILE. THE CLAIMED POINTS OF DIVERSION CANNOT BE CONFIRMED.