

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:** 76F 98235-00 STATEMENT OF CLAIM  
**Version:** 2 -- CHANGE AUTHORIZATION  
**Version Status:** ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

**Owners:** MANNIX BROTHERS INC  
83 MANNIX RANCH DR  
HELMVILLE, MT 59843-9039

**Priority Date:** MAY 1, 1908  
**Enforceable Priority Date:** MAY 1, 1908

**Purpose (use):** IRRIGATION  
FISHERY

**Purpose Clarification:** INSTREAM FLOW

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.88 CFS

**Maximum Volume:** 233.50 AC-FT

**Climatic Area:** 5 - LOW

**Maximum Acres:** 189.00

**Source Name:** WASSON CREEK  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

| <u>ID</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|-----------------|------------|------------|------------|------------|---------------|
| 1         |                 | NENWNE     | 13         | 13N        | 11W        | POWELL        |

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** SPEIKER DITCH

|   |  |        |   |     |     |        |
|---|--|--------|---|-----|-----|--------|
| 2 |  | SWSWSW | 7 | 13N | 10W | POWELL |
|---|--|--------|---|-----|-----|--------|

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** HEADGATE

|   |  |        |   |     |     |        |
|---|--|--------|---|-----|-----|--------|
| 3 |  | SESWSW | 7 | 13N | 10W | POWELL |
|---|--|--------|---|-----|-----|--------|

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** HEADGATE

|   |  |      |    |     |     |        |
|---|--|------|----|-----|-----|--------|
| 4 |  | S2NW | 13 | 13N | 11W | POWELL |
|---|--|------|----|-----|-----|--------|

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** DIVERSION DAM

|   |  |        |   |     |     |        |
|---|--|--------|---|-----|-----|--------|
| 5 |  | SESWSW | 7 | 13N | 10W | POWELL |
|---|--|--------|---|-----|-----|--------|

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** INSTREAM

|   |  |    |    |     |     |        |
|---|--|----|----|-----|-----|--------|
| 6 |  | SE | 12 | 13N | 11W | POWELL |
|---|--|----|----|-----|-----|--------|

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** INSTREAM

|   |  |    |    |     |     |        |
|---|--|----|----|-----|-----|--------|
| 7 |  | N2 | 13 | 13N | 11W | POWELL |
|---|--|----|----|-----|-----|--------|

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** INSTREAM

|   |  |      |    |     |     |        |
|---|--|------|----|-----|-----|--------|
| 8 |  | NENE | 14 | 13N | 11W | POWELL |
|---|--|------|----|-----|-----|--------|

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** INSTREAM

|           |                 |                |            |            |            |               |
|-----------|-----------------|----------------|------------|------------|------------|---------------|
| <u>ID</u> | <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
| 9         |                 | SE             | 11         | 13N        | 11W        | POWELL        |

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** INSTREAM

DITCH NAME: SPIEKER DITCH

THIS RIGHT FOR INSTREAM USE APPLIES FROM THE SESWSW SEC 7 TWP 13N RGE 10W IN POWELL COUNTY DOWNSTREAM TO THE CONFLUENCE WITH NEVADA SPRING CREEK IN POWELL COUNTY.

POINT OF DIVERSION NO. 4 IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

**Period of Use:** APRIL 15 to OCTOBER 31

**Purpose (Use):** IRRIGATION

**Period of Use:** APRIL 15 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             | 9.00         |                 | S2SWSW         | 7          | 13N        | 10W        | POWELL        |
| 2             | 27.00        |                 | S2SE           | 12         | 13N        | 11W        | POWELL        |
| 3             | 31.00        |                 | N2SW           | 13         | 13N        | 11W        | POWELL        |
| 4             | 2.00         |                 | NWNWNW         | 18         | 13N        | 10W        | POWELL        |
| 5             | 53.00        |                 | N2NE           | 13         | 13N        | 11W        | POWELL        |
| 6             | 22.00        |                 | SWNW           | 13         | 13N        | 11W        | POWELL        |
| 7             | 9.00         |                 | N2SWNE         | 13         | 13N        | 11W        | POWELL        |
| 8             | 24.00        |                 | SENE           | 13         | 13N        | 11W        | POWELL        |
| 9             | 12.00        |                 | E2E2NE         | 14         | 13N        | 11W        | POWELL        |
| <b>Total:</b> | 189.00       |                 |                |            |            |            |               |

**Purpose (Use):** FISHERY

**Period of Use:** APRIL 15 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         |              |                 | SESWSW         | 7          | 13N        | 10W        | POWELL        |
| 2         |              |                 | N2             | 13         | 13N        | 11W        | POWELL        |
| 3         |              |                 | NENE           | 14         | 13N        | 11W        | POWELL        |
| 4         |              |                 | SE             | 11         | 13N        | 11W        | POWELL        |
| 5         |              |                 | SE             | 12         | 13N        | 11W        | POWELL        |

**Geocodes/Valid:** 28-2208-12-1-01-01-0000 - Y      28-2208-13-1-01-01-0000 - Y  
 28-2208-14-1-01-01-0000 - Y      28-2209-07-2-01-01-0000 - Y  
 28-2209-18-2-01-01-0000 - Y

**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.

98221-00    98225-00    98226-00    98227-00    98235-00    98236-00    98237-00  
 98238-00    98241-00    98242-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/03/1991.  
 NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/28/1989.  
 NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/31/1984.  
 THIS TEMPORARY RIGHT EXPIRES ON 09/20/2016

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 84071 RECEIVED 12/22/2009.