

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:** 76M 107877-00 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:** FIRE CREEK RANCH LLC  
ONE RESEARCH CENTER  
MARION, IA 52302

**Priority Date:** NOVEMBER 18, 1892  
**Enforceable Priority Date:** NOVEMBER 18, 1892

**Purpose (use):** IRRIGATION  
FISHERY

**Purpose Clarification:** INSTREAM FLOW

**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 224.41 GPM

**Maximum Volume:** 165.94 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 80.00

**Source Name:** FIRE 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		SEN	21	16N	23W	MISSOULA

**Period of Diversion:** APRIL 1 TO JUNE 30  
OCTOBER 16 TO OCTOBER 31

**Diversion Means:** HEADGATE

2		SWS	21	16N	23W	MISSOULA
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**Period of Diversion:** JULY 1 TO OCTOBER 15

**Diversion Means:** INSTREAM

3		SES	21	16N	23W	MISSOULA
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**Period of Diversion:** JULY 1 TO OCTOBER 15

**Diversion Means:** INSTREAM

4		NE	21	16N	23W	MISSOULA
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**Period of Diversion:** JULY 1 TO OCTOBER 15

**Diversion Means:** INSTREAM

5		NW	21	16N	23W	MISSOULA
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**Period of Diversion:** JULY 1 TO OCTOBER 15

**Diversion Means:** INSTREAM

6		NE	21	16N	23W	MISSOULA
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**Period of Diversion:** JULY 1 TO OCTOBER 15

**Diversion Means:** INSTREAM

7		NW	21	16N	23W	MISSOULA
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**Period of Diversion:** JULY 1 TO OCTOBER 15

**Diversion Means:** INSTREAM

8		NE	21	16N	23W	MISSOULA
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**Period of Diversion:** JULY 1 TO OCTOBER 15

**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		SWNWSE	21	16N	23W	MISSOULA

**Period of Diversion:** JULY 1 TO OCTOBER 15  
**Diversion Means:** INSTREAM

**Period of Use:** APRIL 1 to JUNE 30  
OCTOBER 16 to OCTOBER 31  
JULY 1 to OCTOBER 15

**Purpose (Use):** IRRIGATION

**Period of Use:** APRIL 1 to JUNE 30  
OCTOBER 16 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	80.00		NE	28	16N	23W	MISSOULA

**Total:** 80.00

**Purpose (Use):** FISHERY

**Period of Use:** JULY 1 to OCTOBER 15

**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			SWSWSW	21	16N	23W	MISSOULA
2			SESWSW	21	16N	23W	MISSOULA
3			NESWSW	21	16N	23W	MISSOULA
4			NWSESW	21	16N	23W	MISSOULA
5			NESESW	21	16N	23W	MISSOULA
6			NWSWSE	21	16N	23W	MISSOULA
7			NESWSE	21	16N	23W	MISSOULA
8			SWNWSE	21	16N	23W	MISSOULA

**Geocodes/Valid:** 04-2528-21-3-01-05-0000 - Y      04-2528-28-1-01-01-0000 - 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.

107873-00    107877-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/05/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/27/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/05/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/10/93.

PER MCA 85-2-408, THE APPLICANT WILL BE RESPONSIBLE FOR MEASURING AND RECORDING THE AMOUNT OF WATER LEFT INSTREAM TO BENEFIT THE FISHERIES RESOURCE. THE APPLICANT MUST SUBMIT SAID RECORDS BY NOVEMBER 30TH OF EACH YEAR AND/OR UPON REQUEST TO THE WATER RESOURCES REGIONAL OFFICE.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 4246 RECEIVED 08/28/2002.