

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:** 76GJ 12085-00 STATEMENT OF CLAIM  
**Version:** 2 -- REEXAMINED

**Version Status:** ACTIVE

**Owners:** LOWER WILLOW CREEK RANCH LLC  
441 ISABELLA TERRACE  
CORONA DEL MAR, CA 92625

CAROL J CALDWELL  
64 GRASSLAND DR  
DRUMMOND, MT 59832

TONY E CALDWELL  
64 GRASSLAND DR  
DRUMMOND, MT 59832

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** MAY 15, 1878

**Enforceable Priority Date:** MAY 15, 1878

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 4.38 CFS

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

**Climatic Area:** 5 - LOW

**Maximum Acres:** 300.00

**Source Name:** FLINT 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		SWSWSE	24	10N	13W	GRANITE

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

**Diversion Means:** HEADGATE

**Ditch Name:** DURAN DITCH

**Period of Use:** APRIL 15 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	60.00		E2SE	13	10N	12W	GRANITE
2	40.00		W2NW	18	10N	12W	GRANITE
3	45.00		E2SW	18	10N	12W	GRANITE
4	10.00		E2NE	13	10N	13W	GRANITE
5	70.00		W2SW	18	10N	13W	GRANITE
6	75.00		E2NE	24	10N	13W	GRANITE
<b>Total:</b>	300.00						

**Geocodes/Valid:** 46-1877-24-1-01-02-0000 - Y

46-1878-18-2-02-03-0000 - 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.

12079-00 12080-00 12081-00 12083-00 12084-00 12085-00 101683-00

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

**OWNERSHIP UPDATE RECEIVED**

**Remarks:**

OWNERSHIP UPDATE TYPE 608 # 16040 RECEIVED 08/10/2004.  
OWNERSHIP UPDATE TYPE 608 # 16547 RECEIVED 09/15/2004.  
OWNERSHIP UPDATE TYPE DOR # 93928 RECEIVED 01/07/2011.  
OWNERSHIP UPDATE TYPE 641 # 143121 RECEIVED 05/31/2016.

AN AMENDMENT WAS SUBMITTED ON 01/07/2016 REQUESTING TO AMEND THE PRIORITY DATE AND TYPE OF RIGHT . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 200 MINER'S INCHES DECREED IN CASE NO. 719, GRANITE COUNTY. 3574-00, 12085-00, 21962-00, 43180-00.

ALTHOUGH NOT OBJECTED TO THE PLACE OF USE WAS CHANGED TO REFLECT THE INCREASE IN MAXIMUM ACRES IRRIGATED.

DITCH NAME MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.