

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:** 41J 207441-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** MEAGHER COUNTY NEWLAN CREEK WATER DISTRICT  
% STEVE BUCKINGHAM  
859 MT HWY 360  
WHITE SULPHUR SPRINGS, MT 59645

**Priority Date:** JULY 11, 1969

**Enforceable Priority Date:** JULY 11, 1969

**Type of Historical Right:** DECREED

**Purpose (use):** RECREATION

**Maximum Flow Rate:** 75.00 CFS

THE WATER RIGHTS FOLLOWING THIS STATEMENT HAVE AN UNDIVIDED INTEREST IN A SINGLE WATER RIGHT FOR 75 CFS AS DECREED IN CASE NO. 4501 , MEAGHER COUNTY. 207401-00, 207442-00, 207443-00, 207444-00.

**Maximum Volume:** 550.00 AC-FT

**Source Name:** SHEEP 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	26	12N	7E	MEAGHER

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

**Diversion Means:** HEADGATE

**Ditch Name:** HOLMSTROM DITCH

WATER DIVERTED FROM SHEEP CREEK IS CONVEYED TO NEWLAN CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE SWSWSE SEC 11 TWP 10N RGE 6E MEAGHER COUNTY.

**Reservoir:** OFF STREAM **Reservoir Name** NEWLAN CREEK

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSWSE	11	10N	6E	MEAGHER

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 122.00 FEET

**Depth:** 106.00 FEET

**Surface Area:** 327.00 ACRES

**Current Capacity:** 14,030.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**Period of Use:** JANUARY 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			E2	11	10N	6E	MEAGHER
2				12	10N	6E	MEAGHER

**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.

207441-00 207442-00 207443-00 207444-00

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

---

**Remarks:**

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THIS RIGHT WAS NOT USED PRIOR TO JULY 1, 1973 . ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

THIS CLAIM APPEARS TO DIVERT WATER FROM SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.