

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:** 76E 16572-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** HESSE & SONS LLC  
3615 BLUE KEY  
CORONA DEL MAR, CA 92625

TRI SKY LLC  
% ROBIN BAUER  
145 CRYING GEORGE RD  
BUTTE, MT 59701-7410

**Priority Date:** MAY 1, 1891

**Enforceable Priority Date:** MAY 1, 1891

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 11.25 CFS

**Maximum Volume:** 975.00 AC-FT

THE VOLUME QUANTIFICATION ON THIS CLAIM IS THE RESULT OF AN AFFIDAVIT FILED BY THE CLAIMANT WITH THE WATER COURT ON 01/08/86. THE WATER COURT HAS MADE NO DETERMINATION AS TO THE NEED FOR A VOLUME QUANTIFICATION ON THIS CLAIM AS PROVIDED FOR IN 85-2-234 (6) (B) (III) M.C.A.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 162.00

**Source Name:** ROSS FORK ROCK 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		NESWNE	26	5N	16W	GRANITE

**Period of Diversion:** APRIL 1 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 to OCTOBER 19

**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	45.00		SW	24	5N	16W	GRANITE
2	15.00		SESENW	24	5N	16W	GRANITE
3	68.00		NE	24	5N	16W	GRANITE
4	4.00		NWNWSE	24	5N	16W	GRANITE
5	15.00		S2SE	13	5N	16W	GRANITE
6	15.00		SWSW	18	5N	15W	GRANITE
<b>Total:</b>	<b>162.00</b>						

**Geocodes/Valid:** 46-1372-13-1-01-01-0000 - Y      46-1372-24-1-01-01-0000 - Y  
46-1373-18-4-01-01-0000 - 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.

16568-00    16569-00    16570-00    16572-00    136881-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/09/87.

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**Remarks:**

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 16904 RECEIVED 04/13/2001.

OWNERSHIP UPDATE TYPE 608 # 16870 RECEIVED 04/13/2001.

THE CLAIMED FLOW RATE EXCEEDS THE 17.00 GPM PER ACRE GUIDELINE. THE FLOW RATE EQUALS 31.16 GPM PER ACRES.