

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:** 76H 19692-00 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:**  
KAREN I MOLLE  
700 WILD ROSE LN  
VICTOR, MT 59875  
  
LOUIS R MOLLE II  
700 WILD ROSE LN  
VICTOR, MT 59875  
  
LARRY M SEYMOUR  
PO BOX 478  
VICTOR, MT 59875  
  
ANN B HAYMAN  
PO BOX 478  
VICTOR, MT 59875  
  
JERRY MCGOWAN  
PO BOX 688  
VICTOR, MT 59875  
  
JANICE WEBER  
724 WILD ROSE LN  
VICTOR, MT 59875  
  
LEON J WEBER  
724 WILD ROSE LN  
VICTOR, MT 59875  
  
LAURA MCMANUS  
PO BOX 688  
VICTOR, MT 59875  
  
STEVEN M JOHNSON  
PO BOX 1090  
VICTOR, MT 59875  
  
ADRIENNE M LOWRY  
676 WILD ROSE LN  
VICTOR, MT 59875  
  
MATTHEW J LOWRY  
676 WILD ROSE LN  
VICTOR, MT 59875

**Priority Date:** APRIL 1, 1887  
**Enforceable Priority Date:** APRIL 1, 1887

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.75 CFS

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

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 75.00

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

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

ID                      Govt Lot              Qtr Sec      Sec      Twp      Rge      County

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	27	8N	21W	RAVALLI

**Period of Diversion:** APRIL 1 TO SEPTEMBER 19  
**Diversion Means:** HEADGATE

**Reservoir:** OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2NWNE	34	8N	21W	RAVALLI

**Depth:** 6.00 FEET  
**Surface Area:** 0.18 ACRES

**Current Capacity:** 0.60 ACRE-FEET

**Period of Use:** APRIL 1 to SEPTEMBER 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	25.00		NENE	34	8N	21W	RAVALLI
2	25.00		NWNE	34	8N	21W	RAVALLI
3	25.00		NENW	34	8N	21W	RAVALLI
<b>Total:</b>	75.00						

**Geocodes/Valid:** 13-1665-34-1-01-13-0000 - Y      13-1665-34-1-01-14-0000 - Y  
13-1665-34-1-01-15-0000 - Y      13-1665-34-1-01-17-0000 - Y  
13-1665-34-1-01-20-0000 - Y      13-1665-34-1-01-21-0000 - Y

**Remarks:**

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO MEASURE AND DISTRIBUTE TO THE PARTIES USING WATER, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS/HER PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES INCURRED IN THE DISTRIBUTION OF THE WATERS. THE FEE WILL BE SET BY THE DISTRICT COURT.

THE ISSUANCE OF THIS RIGHT BY THE DEPARTMENT SHALL NOT REDUCE THE APPROPRIATOR'S LIABILITY FOR DAMAGES CAUSED BY THE APPROPRIATOR'S EXERCISE OF THIS RIGHT. NOR DOES THE DEPARTMENT IN ISSUING THE RIGHT IN ANY WAY ACKNOWLEDGE LIABILITY FOR DAMAGE CAUSED BY THE APPROPRIATOR'S EXERCISE OF THIS RIGHT.

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT A POINT APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 758 RECEIVED 01/23/2002.  
OWNERSHIP UPDATE TYPE 608 # 10964 RECEIVED 10/14/2003.  
OWNERSHIP UPDATE TYPE DOR # 135443 RECEIVED 10/14/2015.