

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

# GENERAL ABSTRACT

**A version with a more recent operating authority date exists. Contact DNRC for details.**

**Water Right Number:** 76F 19980-00 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:** ROE, SANDRA B REVOCABLE TRUST  
2101 OLD TRAILHEAD LN  
OVANDO, MT 59854

**Priority Date:** JUNE 12, 1905  
**Enforceable Priority Date:** JUNE 12, 1905

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

**Maximum Flow Rate:** 12.50 CFS  
**Maximum Volume:** 1,995.00 AC-FT  
**Climatic Area:** 5 - LOW

**Maximum Acres:** 335.00  
**Source Name:** BLACKFOOT RIVER, NORTH FORK  
**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		SWSWSW	2	15N	11W	POWELL

**Period of Diversion:** MAY 1 TO OCTOBER 20  
**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to OCTOBER 20

**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	40.00		SW	14	15N	11W	POWELL
2	58.00		S2SE	15	15N	11W	POWELL
3	5.00		S2SESW	15	15N	11W	POWELL
4	222.00		N2	22	15N	11W	POWELL
5	10.00		W2NWNW	23	15N	11W	POWELL
<b>Total:</b>	<b>335.00</b>						

**Geocodes/Valid:** 28-2438-14-3-01-01-0000 - Y      28-2438-15-2-01-01-0000 - Y  
28-2438-15-4-01-01-0000 - Y      28-2438-22-1-01-01-0000 - Y  
28-2438-23-2-01-01-0000 - Y

**Remarks:**

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS.

THE VOLUME FOR THE SPRINKLER LATERALS SHALL BE LIMITED TO 2.0 ACRE-FEET (MEASURED AT THE ENTRANCE OF THE LATERAL) PER YEAR PER ACRE COVERED BY THE LATERAL(S). THE CUMULATIVE VOLUME LIMIT FOR SPRINKLER LATERALS SHALL BE 520 ACRE-FEET ON A MAXIMUM OF 260 SPRINKLER IRRIGATED ACRES.

WHEN THE MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS MAKES A "CALL" ON THE BLACKFOOT RIVER SYSTEM ENFORCING THEIR "MURPHY RIGHT" DATED JANUARY 6, 1971, THE APPROPRIATOR UNDER THIS AUTHORIZATION SHALL STOP THE FLOOD IRRIGATION OF 75 ACRES GENERALLY LOCATED

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**Remarks:**

IN THE SW, SEC 14 AND THE W2NW, SEC 22, TWP 15N, RGE 11W. THE APPROPRIATOR SHALL ALSO TAKE ANY NECESSARY STEPS TO ENSURE THEIR PORTION OF WATER DIVERTED AT THE NORTH FORK BLACKFOOT RIVER HEADGATE LOCATED IN THE SWSWSW, SEC2, TWP 15N, RGE 11W, WILL NOT EXCEED THE 10.9 CFS, WHICH IS A REDUCTION OF 1.6 CFS FROM THE DECREED 12.5 CFS ASSOCIATED WITH THE WATER RIGHT 76F-W019980-00.

THE RIGHT ISSUED ON 4/24/2001 WAS REISSUED. THE RIGHT WAS REISSUED BECAUSE WATER RIGHT 76F-W019979-00 (STOCK) WAS INCLUDED IN THE ORIGINAL CHANGE. THIS IRRIGATION PLACE OF USE CHANGE DOES NOT AFFECT THE STOCK RIGHT.

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED MEASURING DEVICE AT 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 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 RECORDS 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 THE VOLUME ACCURATELY.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 83861 RECEIVED 12/23/2010.