

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:** 76F 49599-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** JAMES C QUIGLEY  
SUNSET RANCH  
PO BOX 256  
AVON, MT 59713-0256

**Priority Date:** JULY 20, 1901  
**Enforceable Priority Date:** JULY 20, 1901

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 1.25 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:** 240.00

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

ALSO KNOWN AS MILL CREEK

**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		NESENE	5	11N	8W	POWELL

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

**Diversion Means:** HEADGATE

**Ditch Name:** DAVIS 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	20.00		E2SESW	29	12N	8W	POWELL
2	20.00		SWSW	29	12N	8W	POWELL
3	20.00		S2SE	30	12N	8W	POWELL
4	95.00		NE	31	12N	8W	POWELL
5	5.00		NENESE	31	12N	8W	POWELL
6	20.00		E2NENW	32	12N	8W	POWELL
7	45.00		W2NW	32	12N	8W	POWELL
8	15.00		NWNWSW	32	12N	8W	POWELL
<b>Total:</b>	240.00						

**Geocodes/Valid:** -- NO VALID GEOCODES --

**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.

49598-00 49599-00 49600-00 49601-00 49602-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06-29-2007: PLACE OF USE, MAXIMUM ACRES.

CASE NO. 143, POWELL COUNTY, DECREES 50 MINERS INCHES OF WATER FROM BOTH MITCHELL (MILL) CREEK AND SHINGLE MILL CREEK. THIS IS AN APPROPRIATION OF A TOTAL OF 50 MINERS INCHES FROM BOTH CREEKS AND NOT 50 MINERS INCHES FROM EACH CREEK. SEE CLAIM FILES 49598 AND 49599.

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

**Remarks:**

ONE.