

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:** 43B 101027-00 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:** STEVE A EAHEART  
1 COURT SQ  
MADISON, VA 22727  
  
KATRINA M EAHEART  
1 COURT SQ  
MADISON, VA 22727

**Priority Date:** JUNE 1, 1894  
**Enforceable Priority Date:** JUNE 1, 1894

**Purpose (use):** FISHERY  
**Irrigation Type:** FLOOD  
**Maximum Flow Rate:** 2.13 CFS  
**Maximum Volume:** 646.00 AC-FT  
**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 93.00  
**Source Name:** MILL 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	3	6S	9E	PARK

**Period of Diversion:** MAY 15 TO OCTOBER 19  
**Diversion Means:** INSTREAM  
**Ditch Name:** UPLAND DITCH

2		SENWSW	2	6S	9E	PARK
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**Period of Diversion:** MAY 15 TO OCTOBER 19  
**Diversion Means:** INSTREAM  
**Ditch Name:** PIPE LINE AND DITCH

**Period of Use:** AUGUST 1 to AUGUST 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			NENW	3	6S	8E	PARK
2			NENW	3	5S	8E	PARK

**Geocodes/Valid:** 49-0519-24-1-01-01-0000 - Y 49-0519-24-1-01-10-0000 - Y  
49-0519-24-1-10-10-0000 - Y 49-0519-24-1-10-20-0000 - Y  
49-0519-24-1-10-30-0000 - Y 49-0519-24-1-10-40-0000 - Y  
49-0519-24-1-10-50-0000 - 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.

**Remarks:**

PURPOSE OF USE: MAINTAINING OR ENHANCING STREAM FLOWS FOR FISHERIES FOR A SIXTY HOUR PERIOD BETWEEN AUGUST 1 AND AUGUST 31 AT A RATE OF 41.4 CFS TO 205.27 ACRE-FEET PER YEAR.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 59858 RECEIVED 06/24/2008.

OWNERSHIP UPDATE TYPE 608 # 61304 RECEIVED 07/28/2008.

OWNERSHIP UPDATE TYPE DOR # 149449 RECEIVED 11/04/2016.