

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:** 41J 104353-00 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:** KELLY, SUE LIVING TRUST  
PO BOX 97  
ALDER, MT 59710-0097  
  
CAMAS CREEK CATTLE & SHEEP CO  
310 CAMAS CREEK RD  
WHITE SULPHUR SPRINGS, MT 59645

**Priority Date:** DECEMBER 31, 1871

**Enforceable Priority Date:** DECEMBER 31, 1871

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 7.50 CFS

**Maximum Volume:** 427.68 AC-FT

**Maximum Acres:** 129.20

**Source Name:** SMITH RIVER

**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		NESE	4	10N	5E	MEAGHER

**Period of Diversion:** MAY 1 TO SEPTEMBER 30

**Diversion Means:** HEADGATE

2		S2SE	32	11N	5E	MEAGHER
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**Period of Diversion:** MAY 1 TO SEPTEMBER 30

**Diversion Means:** PUMP

**Period of Use:** MAY 1 to SEPTEMBER 30

**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	19.80		SWNW	32	11N	5E	MEAGHER
2	8.80		SESW	32	11N	5E	MEAGHER
3	25.02		NWSW	32	11N	5E	MEAGHER
4	24.80		NESW	32	11N	5E	MEAGHER
5	10.00		SESW	32	11N	5E	MEAGHER
6	7.30		NWSE	32	11N	5E	MEAGHER
7	23.50		SWSE	32	11N	5E	MEAGHER
8	10.00		SESE	32	11N	5E	MEAGHER

**Total:** 129.22

**Geocodes/Valid:** 47-2004-32-2-02-01-0000 - Y 47-2004-32-4-01-01-0000 - Y

**Remarks:**

POINT OF DIVERSION NO. 2 IS A TRANSITORY POINT OF DIVERSION.

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 YEARLY 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

**Remarks:**

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 # 11130 RECEIVED 10/16/2003.

OWNERSHIP UPDATE TYPE DOR # 82775 RECEIVED 11/20/2009.

OWNERSHIP UPDATE TYPE DOR # 96999 RECEIVED 10/17/2011.