

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 108846-00 STATEMENT OF CLAIM  
**Version:** 4 -- 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:** TIN CUP WATER & SEWER DISTRICT  
PO BOX 292  
DARBY, MT 59829

**Priority Date:** AUGUST 20, 1906  
**Enforceable Priority Date:** AUGUST 20, 1906

**Purpose (use):** STOCK

**Maximum Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

**Maximum Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** TIN CUP 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		NESE	1	2N	23W	RAVALLI

**Period of Diversion:** JULY 1 TO SEPTEMBER 30  
**Diversion Means:** DAM

CX01-MCINTOSH-MORELLO LOWLINE DITCH (STORAGE) LOCATED IN THE SWSWSW OF SECTION 16, TWP 3N, RGE 21W.

CX01-FORD-HOLLISTER HIGHLINE DITCH (STORAGE) LOCATED IN THE SENWNW OF SECTION 21, TWP 3N, RGE 21W.

CX01-CHAFFIN-WHINNERY DITCH (STORAGE) LOCATED IN THE NWSNW OF SECTION 21, TWP 3N, RGE 21W.

CX01-CLICK-MATTESON DITCH (STORAGE) LOCATED IN THE SWNESE OF SECTION 21, TWP 3N, RGE 21W.

TIN CUP CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER RELEASED FROM TIN CUP LAKE TO SECONDARY POINTS OF DIVERSION IN THE SWSWSW OF SECTION 16, THE SENWNW OF SECTION 21, THE NWSNW OF SECTION 21, AND THE SWNESE OF SECTION 21 ALL IN TWP 03N RGE 21W RAVALLI COUNTY.

**Reservoir:** ON STREAM **Reservoir Name** TIN CUP LAKE  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
NESE 1 2N 23W RAVALLI

**Diversion to Reservoir:** DIVERSION # 1  
**Surface Area:** 105.00 ACRES  
**Current Capacity:** 2,600.00 ACRE-FEET

**Period of Use:** JULY 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			W2NENE	3	3N	21W	RAVALLI
2			W2SENE	3	3N	21W	RAVALLI
3			W2NE	3	3N	21W	RAVALLI
4			NW	3	3N	21W	RAVALLI
5			SW	3	3N	21W	RAVALLI

**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>
6			NWSE	3	3N	21W	RAVALLI
7			SWSE	3	3N	21W	RAVALLI
8			N2SESE	3	3N	21W	RAVALLI
9			NESE	3	3N	21W	RAVALLI
10			SENE	4	3N	21W	RAVALLI
11			NESE	4	3N	21W	RAVALLI
12			NWSE	4	3N	21W	RAVALLI
13			S2SE	4	3N	21W	RAVALLI
14			SESW	4	3N	21W	RAVALLI
15			SESWSW	4	3N	21W	RAVALLI
16			SW	9	3N	21W	RAVALLI
17			SE	9	3N	21W	RAVALLI
18			NE	9	3N	21W	RAVALLI
19			NW	9	3N	21W	RAVALLI
20			W2NW	10	3N	21W	RAVALLI
21			W2SW	10	3N	21W	RAVALLI
22			W2NW	15	3N	21W	RAVALLI
23			SW	15	3N	21W	RAVALLI
24			SWSE	15	3N	21W	RAVALLI
25			E2	16	3N	21W	RAVALLI
26			E2NE	21	3N	21W	RAVALLI
27			NESE	21	3N	21W	RAVALLI
28			NW	22	3N	21W	RAVALLI
29			N2SW	22	3N	21W	RAVALLI
30			NWSWSW	22	3N	21W	RAVALLI
31			N2NE	22	3N	21W	RAVALLI
32			S2NE	22	3N	21W	RAVALLI
33			SENE	8	3N	21W	RAVALLI

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

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

108846-00 111251-00

APPLICATION TO CHANGE THE POU RECEIVED 06/30/98. SEE 76H-G(W)108840-00.

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