

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 125058-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** WITHDRAWN

**Owners:** HOWARD G HARDEMAN LLC  
2682 MERIDIAN RD  
VICTOR, MT 59875

CREECH, KAY E & RANDOLPH S, CO-TRUSTEES OF THE  
FIFTH AMENDED & RESTATED AGREEMENT OF TRUST  
FOR KAY E CREECH DATED JULY 21, 2010  
PO BOX 29  
STEVENSVILLE, MT 59870

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY  
BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** MAY 15, 1891

**Enforceable Priority Date:** MAY 15, 1891

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 1.88 CFS

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT  
PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 100.00

**Source Name:** BURNT FORK 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		SEWN	14	8N	19W	RAVALLI

**Period of Diversion:** MAY 1 TO AUGUST 1

**Diversion Means:** HEADGATE

**Ditch Name:** HIGHLINE DITCH (HEADGATE 1)

**Period of Use:** MAY 1 to AUGUST 1

**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	72.85		N2SE	10	8N	19W	RAVALLI
2	20.00		SESE	10	8N	19W	RAVALLI
3	7.15		NESW	10	8N	19W	RAVALLI
<b>Total:</b>	<b>100.00</b>						

**Geocodes/Valid:** 13-1667-10-3-01-05-0000 - Y      13-1667-10-4-01-04-0000 - Y  
13-1667-10-4-01-05-0000 - Y

**Remarks:**

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

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/11/2015.

**OWNERSHIP UPDATE RECEIVED**

- OWNERSHIP UPDATE TYPE 608 # 7468 RECEIVED 03/05/2003.
- OWNERSHIP UPDATE TYPE 608 # 7469 RECEIVED 03/05/2003.
- OWNERSHIP UPDATE TYPE DOR # 82669 RECEIVED 08/12/2009.
- OWNERSHIP UPDATE TYPE DOR # 151292 RECEIVED 11/08/2016.

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**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 50 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 119951-00, 125058-00.

AERIAL PHOTOGRAPH NO(S). CNR-3P-161 , DATED 08/01/1955 , APPEARS TO INDICATE 84.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE SPRING AND POND DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED SPRING AND POND.