

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 128616-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** MCGUIRES SHEEP CREEK LLC  
PO BOX 630  
WHITE SULPHUR SPRINGS, MT 59645-0630

**Priority Date:** JUNE 1, 1898

**Enforceable Priority Date:** JUNE 1, 1898

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 3.18 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 84.00

**Source Name:** CABIN 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		SWNWNE	33	13N	6E	MEAGHER

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

**Diversion Means:** HEADGATE

**Ditch Name:** MCGUIRE DITCH

**Period of Use:** MAY 1 to OCTOBER 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	21.00		SENE	32	13N	6E	MEAGHER
2	16.00		SWNE	32	13N	6E	MEAGHER
3	11.00		NESE	32	13N	6E	MEAGHER
4	12.00		NWSE	32	13N	6E	MEAGHER
5	3.00		SENE	33	13N	6E	MEAGHER
6	19.00		SWNW	33	13N	6E	MEAGHER
7	2.00		NWSW	33	13N	6E	MEAGHER
<b>Total:</b>	<b>84.00</b>						

**Geocodes/Valid:** 47-2225-32-2-01-01-0000 - Y      47-2225-33-2-03-01-0000 - Y

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/19/2006: PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 6328 RECEIVED 12/24/2002.

OWNERSHIP UPDATE TYPE DOR # 128238 RECEIVED 12/01/2014.

OWNERSHIP UPDATE TYPE DOR # 138756 RECEIVED 06/25/2015.

THE MEAGHER COUNTY WATER RESOURCES SURVEY ( 1950 ) APPEARS TO INDICATE 21 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**Remarks:**

THE MEAGHER COUNTY WATER RESOURCES SURVEY 1950 INDICATES AN ADDITIONAL 61 ACRES MAY HAVE BEEN IRRIGATED PRIOR TO THE SURVEY. THE ACREAGE WAS NOT BEING IRRIGATED AT THE TIME OF THE SURVEY.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON CABIN CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4501, MEAGHER COUNTY.