

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:** 76E 136926-00 STATEMENT OF CLAIM  
**Version:** 2 -- REEXAMINED

**Version Status:** ACTIVE

**Owners:** W RESOURCES LLC  
PO BOX 249  
HAMMOND, LA 70404  
  
VALERIE J JONES  
14868 NIGHTHAWK LN  
BROOMFIELD, CO 80023-8020  
  
RICHARD K SWINNEY  
9 N EXCELSIOR  
BUTTE, MT 59701  
  
MARIE G OWENS  
9 N EXCELSIOR  
BUTTE, MT 59701

**Priority Date:** JULY 18, 1910  
**Enforceable Priority Date:** JULY 18, 1910

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 2.25 CFS

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

**Climatic Area:** 5 - LOW

**Maximum Acres:** 503.00

**Source Name:** ROCK CREEK, EAST FORK  
**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	6	4N	14W	GRANITE

**Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** FLINT CREEK CANAL

**Period of Use:** MAY 1 to OCTOBER 15

**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	300.00		N2	24	5N	15W	GRANITE
2	53.00		SE	13	5N	15W	GRANITE
3	150.00		N2SE	24	5N	15W	GRANITE
<b>Total:</b>	503.00						

**Geocodes/Valid:** 46-1373-24-1-01-01-0000 - Y 46-1373-24-1-01-03-0000 - Y  
46-1373-24-1-01-05-0000 - Y 46-1373-24-1-01-13-0000 - Y  
46-1373-24-1-01-17-0000 - Y 46-1373-24-1-01-19-0000 - Y  
46-1373-24-1-01-21-0000 - Y 46-1373-24-1-01-23-0000 - Y  
46-1373-24-1-01-25-0000 - Y 46-1373-24-1-01-27-0000 - Y

**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.

136926-00 136927-00

**Remarks:**

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

THIS APPROPRIATION OF WATER TAKES WATER FROM THE ROCK CREEK, TRIBUTARY TO CLARK FORK RIVER DRAINAGE (BASIN 76E ) AND USES IT IN THE FLINT CREEK DRAINAGE (BASIN 76GJ ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/16/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/16/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/26/93.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 96933 RECEIVED 02/02/2011.

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 1000 MINER'S INCHES DECREED IN CASE NO. 2107, GRANITE COUNTY. 76E 136926-00, 76E 136927-00, 76E 131589-00, 76E 131590-00.

THIS CLAIM MAY BE DUPLICATED BY CLAIM 76E 131589-00. TO ASSURE THE ORDERLY ADMINISTRATION OF WATER RIGHTS, THE WATER COURTS WILL SET A HEARING TO DETERMINE THIS ISSUE IF NO OBJECTIONS ARE MADE.

POINT OF DIVERSION AND DITCH NAME WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.