

**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:** 411 88929-00 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:** SAMUEL W ANTONICK  
726 LOWER DEEP CREEK RD  
TOWNSEND, MT 59644-9776  
  
KIM M JOHNSON  
726 LOWER DEEP CREEK RD  
TOWNSEND, MT 59644-9776  
  
PATRICIA M KROTT  
PO BOX 1159  
TOWNSEND, MT 59644-1159  
  
OWNER PATRICIA M KROTT RETAINED. CONTRACT FOR DEED INTEREST.

**Priority Date:** DECEMBER 18, 1889  
**Enforceable Priority Date:** DECEMBER 18, 1889

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

**Maximum Flow Rate:** 4.50 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:** 323.50

**Source Name:** DEEP CREEK  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	31	7N	3E	BROADWATER
<b>Period of Diversion:</b> APRIL 20 TO OCTOBER 20						
<b>Diversion Means:</b> PUMP						
2		NE	31	7N	3E	BROADWATER
<b>Period of Diversion:</b> APRIL 20 TO OCTOBER 20						
<b>Diversion Means:</b> PUMP						
3		NW	32	7N	3E	BROADWATER
<b>Period of Diversion:</b> APRIL 20 TO OCTOBER 20						
<b>Diversion Means:</b> PUMP						
4		NW	32	7N	3E	BROADWATER
<b>Period of Diversion:</b> APRIL 20 TO OCTOBER 20						
<b>Diversion Means:</b> PUMP						

**Period of Use:** APRIL 20 to OCTOBER 20

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	23.00		S2	29	7N	3E	BROADWATER
2	19.00		S2	30	7N	3E	BROADWATER
3	225.30			31	7N	3E	BROADWATER
4	56.20		NW	32	7N	3E	BROADWATER
<b>Total:</b>	<b>323.50</b>						

<b>Geocodes/Valid:</b>	43-1592-29-3-01-02-0000 - Y	43-1592-30-4-04-01-0000 - Y
	43-1592-31-1-01-01-0000 - Y	43-1592-32-2-01-01-0000 - Y

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**Remarks:**

THE NEW POINTS OF DIVERSION ONLY REPLACE THE HEADGATE IN THE NENWNE OF SEC 33, TWP 7N, RGE 3E, BROADWATER COUNTY. THE PUMP IN THE NESWNW OF SEC 31, TWP 7N, RGE 3E, BROADWATER COUNTY, WILL NOT BE REPLACED.

THE APPROPRIATOR SHALL SUBMIT A PROGRESS REPORT OF THE WORK COMPLETED UNDER THIS RIGHT BY NOVEMBER 30TH OF EACH YEAR UNTIL COMPLETION OF THE PROJECT. THE REPORTS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE.

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF APPOINTED, TO MEASURE AND DISTRIBUTE WATER. THE APPROPRIATORS SHALL PAY THEIR SHARE OF THE FEES, COMPENSATION, AND EXPENSES INCURRED IN THE DISTRIBUTION OF THE WATERS. THE FEE WILL BE SET BY DISTRICT COURT. 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 MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF OPERATION. 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.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 2998 RECEIVED 05/08/2002.

OWNERSHIP UPDATE TYPE 608 # 24643 RECEIVED 08/15/2005.

OWNERSHIP UPDATE TYPE DOR # 100024 RECEIVED 09/07/2011.