

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:** 41P 113506-00 STATEMENT OF CLAIM  
**Version:** 2 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** EAGLE CREEK COLONY  
333 2100 RD S  
GALATA, MT 59444

**Priority Date:** NOVEMBER 10, 1903  
**Enforceable Priority Date:** NOVEMBER 10, 1903

**Type of Historical Right:** FILED

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

**Maximum Flow Rate:** 3.00 CFS  
**Maximum Volume:** 1,112.46 AC-FT  
**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 363.00  
**Source Name:** LITTLE HORSE 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		NWSESW	2	34N	4E	LIBERTY

**Period of Diversion:** APRIL 1 TO OCTOBER 1  
**Diversion Means:** HEADGATE

**Reservoir:** OFF STREAM  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
NWNWSE 11 34N 4E LIBERTY

**Diversion to Reservoir:** DIVERSION # 1

**Reservoir:** OFF STREAM  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
N2NE 16 34N 4E LIBERTY

**Diversion to Reservoir:** DIVERSION # 1

**Reservoir:** OFF STREAM  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
SWSESE 16 34N 4E LIBERTY

**Diversion to Reservoir:** DIVERSION # 1

**Reservoir:** OFF STREAM  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
NESENE 21 34N 4E LIBERTY

**Diversion to Reservoir:** DIVERSION # 1

THE DAM ON RESERVOIR 1 EXTENDS INTO THE NENESW SEC 11 TWP 34N RGE 4E LIBERTY COUNTY.

**Period of Use:** APRIL 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	1.00		SWSWSW	15	34N	4E	LIBERTY
2	79.00		E2	16	34N	4E	LIBERTY
3	230.00		E2	21	34N	4E	LIBERTY
4	30.00		NW	22	34N	4E	LIBERTY
5	18.00		W2SWNW	27	34N	4E	LIBERTY
6	5.00		E2SENE	28	34N	4E	LIBERTY
<b>Total:</b>	<b>363.00</b>						

**Geocodes/Valid:** 48-4644-15-3-03-03-0000 - Y 48-4644-16-4-04-04-0000 - Y  
48-4644-21-1-01-01-0000 - Y 48-4644-22-1-01-01-0000 - Y  
48-4644-27-1-01-01-0000 - Y 48-4644-28-1-01-01-0000 - Y

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

113495-00	113496-00	113497-00	113498-00	113499-00	113500-00	113501-00
113502-00	113503-00	113504-00	113505-00	113506-00	113507-00	113508-00
113509-00	113510-00					

THIS APPROPRIATION OF WATER TAKES WATER FROM THE MARIAS RIVER DRAINAGE (BASIN 41P ) AND USES IT IN THE WILLOW CREEK DRAINAGE (BASIN 41N ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 41P 113506-00, 41P 156699-00.

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

THE POINTS OF DIVERSION APPEAR TO BE INCORRECT. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

THIS CLAIM APPEARS TO DIVERT WATER FROM 4 SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

THE CLAIMED VOLUME CANNOT BE CONFIRMED DUE TO LACK OF DATA.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 1094.80 ACRE-FEET PER YEAR.