

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:** 41G 115568-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** MELVIN D MAICHEL  
PO BOX 154  
HARRISON, MT 59735  
  
MERI C MAICHEL  
PO BOX 154  
HARRISON, MT 59735  
  
SITZ, ROBERT L ESTATE OF  
PO BOX 67  
HARRISON, MT 59735

**Priority Date:** DECEMBER 31, 1936  
**Enforceable Priority Date:** DECEMBER 31, 1936

**Type of Historical Right:** FILED

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

**Maximum Flow Rate:** 1.60 CFS

**Maximum Volume:**  
**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 220.00

**Source Name:** SOUTH WILLOW 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		NWNWSW	15	2S	2W	MADISON

**Period of Diversion:** APRIL 1 TO JULY 4  
SEPTEMBER 1 TO OCTOBER 4

**Diversion Means:** HEADGATE

**Ditch Name:** CARMIN BELL DITCH

**Period of Use:** APRIL 1 to JULY 4  
SEPTEMBER 1 to OCTOBER 4

THIS RIGHT IS LIMITED TO HIGH OR FLOOD WATERS OF SOUTH WILLOW CREEK.

**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	160.00		SE	12	2S	2W	MADISON
2	20.00		S2S2NE	12	2S	2W	MADISON
3	40.00		E2NW	12	2S	2W	MADISON
<b>Total:</b>	<b>220.00</b>						

**Geocodes/Valid:** 25-0789-12-1-01-01-0000 - Y      25-0789-12-4-01-01-0000 - 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.

115566-00    115567-00    115568-00    115569-00    118260-00    118261-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/16/90.

**Remarks:**

THE TEMPORARY PRELIMINARY DECREE OF THIS CLAIM HAS BEEN CHANGED. NOTICE OF THIS CHANGE WAS NOT PROVIDED TO OTHER WATER USERS ON THE TEMPORARY PRELIMINARY DECREE OBJECTIONLIST. THE CLAIMANTS AMENDED THE PERIOD OF USE TO RESTRICT USE TO PERIODS OF HIGH FLOW IN THE SOURCE. THE CLAIMANTS ALSO REDUCED THEIR PRIORITY DATE TO MAKE THE CLAIM SUBJECT TO THE CALL OF THE STATE WATER CONSERVATION PROJECT ON THIS SOURCE, COMMONLY REFERRED TO AS HARRISON LAKE OR WILLOW CREEK RESERVOIR. ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR FILE AN OBJECTION AT THE PRELIMINARY DECREE.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.