

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: 43D 125725-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: SCOTT B MCGREGOR
166 COONEY RD
ROBERTS, MT 59070-9567

CHARLES R MCGREGOR
166 COONEY RD
ROBERTS, MT 59070-9567

Priority Date: JUNE 15, 1895

Enforceable Priority Date: JUNE 15, 1895

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 5.38 CFS

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

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 600.00

Source Name: ROCK 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		NWSWSW	32	5S	21E	CARBON

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: RULE-THOMPSON (GLANTZ-SCHANK) DITCH

2- SECONDARY		SWSWSW	20	5S	21E	CARBON
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Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

3- SECONDARY		NWSWSW	20	5S	21E	CARBON
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Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: HYCKE DITCH

DRY CREEK IS USED AS A NATURAL CARRIER TO THE SECONDARY DIVERSIONS LISTED UNDER THE POINT OF DIVERSION ELEMENT OF THIS WATER RIGHT.

Period of Use: APRIL 1 to OCTOBER 31

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	40.00		SESE	8	5S	21E	CARBON
2	40.00		SW	8	5S	21E	CARBON
3	80.00		S2SW	9	5S	21E	CARBON
4	38.00		SWSE	9	5S	21E	CARBON
5	58.00		N2NW	16	5S	21E	CARBON
6	30.00		SWNW	16	5S	21E	CARBON
7	294.00		N2	17	5S	21E	CARBON
8	20.00		SENE	18	5S	21E	CARBON
Total:	600.00						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

THE MEANS OF DIVERSION WAS AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

Remarks:

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

THE CARBON COUNTY WATER RESOURCES SURVEY (1946) APPEARS TO INDICATE 535.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CARBON COUNTY WATER RESOURCES SURVEY (1966) APPEARS TO INDICATE 466.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 279-8 , DATED 10/30/80 , APPEARS TO INDICATE 685.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SWSWSW SEC 32 TWP 5S RGE 21E CARBON COUNTY.

DITCH NAME 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.

THE CLAIMED SPRINKLER SYSTEM WAS INSTALLED AFTER JUNE 30, 1973, AND DOES NOT REFLECT THE RIGHT AS IT EXISTED PRIOR TO JULY 1, 1973.