

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:** 76H 131079-00 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:**

MARCIA M SMITH  
PO BOX 11  
VICTOR, MT 59875

DAVID A SMITH  
PO BOX 11  
VICTOR, MT 59875

ALMA D SMITH  
PO BOX 11  
VICTOR, MT 59875-0011

OWNER ALMA D. SMITH RETAINED. CONTRACT FOR DEED INTEREST.

**Priority Date:** MAY 13, 1954

**Enforceable Priority Date:** MAY 13, 1954

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 1.00 CFS

PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.

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

PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 40.00

**Source Name:** BRANCH 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         |                 | SW         | 36         | 8N         | 21W        | RAVALLI       |

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** WOODMANCY DITCH NO. 1

|   |  |    |    |    |     |         |
|---|--|----|----|----|-----|---------|
| 2 |  | NE | 36 | 8N | 21W | RAVALLI |
|---|--|----|----|----|-----|---------|

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

|   |  |    |    |    |     |         |
|---|--|----|----|----|-----|---------|
| 3 |  | NE | 36 | 8N | 21W | RAVALLI |
|---|--|----|----|----|-----|---------|

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** WOODMANCY DITCH NO. 2

|   |  |    |    |    |     |         |
|---|--|----|----|----|-----|---------|
| 4 |  | NE | 36 | 8N | 21W | RAVALLI |
|---|--|----|----|----|-----|---------|

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ON STREAM

| <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|------------|------------|------------|------------|---------------|
|                 | NE         | 36         | 8N         | 21W        | RAVALLI       |

**Diversion to Reservoir:** DIVERSION # 4

**Surface Area:** 0.50 ACRES

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

**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         | 40.00        |                 | NE         | 36         | 8N         | 21W        | RAVALLI       |

**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> |
|------------------------|--------------|-----------------------------|------------|------------|------------|-----------------------------|---------------|
| <b>Total:</b>          | 40.00        |                             |            |            |            |                             |               |
| <b>Geocodes/Valid:</b> |              | 13-1665-36-1-01-01-0000 - Y |            |            |            | 13-1665-36-1-01-02-0000 - Y |               |
|                        |              | 13-1665-36-1-01-11-0000 - Y |            |            |            |                             |               |

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**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.

131079-00 131080-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/05/01.