



The Montana Department of Natural Resources & Conservation

2026 Distributions - Remark Index

E079 - Indian Creek

Water Right Number	REMARK
<u>41C 53484 00</u>	THE SOURCE INCLUDES THE SOUTH FORK OF INDIAN CREEK.
<u>41C 101169 00</u>	DITCH NAME ALSO KNOWN AS LAGOON DRAIN DITCH.
<u>41C 101170 00</u>	ALSO KNOWN AS LAGOON DRAIN DITCH
<u>41C 190890 00</u>	FOR ALL DOCUMENTATION AND MAPS, SEE W190891-00. POINT OF DIVERSION FOR RESERVOIR IS ON INDIAN CREEK, NORTH FORK.
<u>41C 190891 00</u>	COMBINED FLOW RATE FOR CLAIM NOS. 41C 190891-00, 41C 190892-00, 41C 190893-00, 41C 190894-00, 41C 190895-00 AND 41C 190896-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND THE CONVEYANCE SYSTEM.
<u>41C 190892 00</u>	COMBINED FLOW RATE FOR CLAIM NOS. 41C 190891-00, 41C 190892-00, 41C 190893-00, 41C 190894-00, 41C 190895-00 AND 41C 190896-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND THE CONVEYANCE SYSTEM.
<u>41C 190893 00</u>	COMBINED FLOW RATE FOR CLAIM NOS. 41C 190891-00, 41C 190892-00, 41C 190893-00, 41C 190894-00, 41C 190895-00 AND 41C 190896-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND THE CONVEYANCE SYSTEM.
<u>41C 190894 00</u>	COMBINED FLOW RATE FOR CLAIM NOS. 41C 190891-00, 41C 190892-00, 41C 190893-00, 41C 190894-00, 41C 190895-00 AND 41C 190896-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND THE CONVEYANCE SYSTEM.
<u>41C 190896 00</u>	COMBINED FLOW RATE FOR CLAIM NOS. 41C 190891-00, 41C 190892-00, 41C 190893-00, 41C 190894-00, 41C 190895-00 AND 41C 190896-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND THE CONVEYANCE SYSTEM.
<u>41C 190897 00</u>	DOCUMENTATION AND MAPS CAN BE OBTAINED BY REVIEWING THE FILE FOR CLAIM NUMBER 41C 190891-00. SECONDARY POINTS OF DIVERSION OFF INDIAN CREEK LOCATED IN NWSESE AND SWSWSE SEC 22 TWP 4S RGE 5W MADISON CNTY.
<u>41C 193770 00</u>	

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<u>41C 193770 00</u>	THE OWNER OF WATER RIGHT 41C 193770-00 AND ITS ASSIGNEES MAY NOT PLACE A CALL ON ANY INDIAN CREEK WATER RIGHT WITH A PRIORITY DATE BEFORE 06/02/1896 TO SUPPLY THE FIRST 5.0 CUBIC FEET PER SECOND (200 MINER'S INCHES) OF THIS RIGHT PURSUANT TO SETTLEMENT OF CASE 41C 168. SIMILARLY, THE OWNER OF WATER RIGHT 41C 193770-00 MAY NOT PLACE A CALL ON ANY INDIAN CREEK WATER RIGHT WITH A PRIORITY DATE BEFORE 09/01/1905 TO SUPPLY THE REMAINING 10.00 CUBIC FEET PER SECOND (400 MINER'S INCHES) OF THE FLOW RATE FOR THIS CLAIM PURSUANT TO THE SETTLEMENT OF CASE 41C 168. THESE LIMITATIONS ON THE CALL OF WATER FROM INDIAN CREEK DO NOT APPLY TO ANY OTHER WATER RIGHTS IN THE BASIN AND THE PRIORITY DATE OF CLAIM 41C 193770-00 AS TO ALL OTHER WATER RIGHTS IN THE BASIN SHALL REMAIN 12/31/1866.
<u>41C 193814 00</u>	THE WATER COURT HAS DETERMINED THAT A FLOW RATE QUANTIFICATION IS REQUIRED TO ADEQUATELY ADMINISTER THIS RIGHT.
<u>41C 193831 00</u>	WATER IS PIPED TO TWO HOLDING TANKS.
<u>41C 193832 00</u>	WATER IS PIPED TO TWO HOLDING TANKS.
<u>41C 193833 00</u>	WATER IS PIPED TO TWO HOLDING TANKS.
<u>41C 193910 00</u>	DITCH NAME ALSO KNOWN AS SWAYZE DITCH.
<u>41C 193911 00</u>	DITCH NAME ALSO KNOWN AS SWAYZE DITCH.
<u>41C 193912 00</u>	DITCH NAME ALSO KNOWN AS SWAYZE DITCHES.
<u>41C 196251 00</u>	CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196254 00</u>	CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196255 00</u>	CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196256 00</u>	CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196257 00</u>	CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196258 00</u>	

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Water Right Number	REMARK
<u>41C 196258 00</u>	CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196290 00</u>	DITCH NAME ALSO KNOWN AS THREE CREEKS CANAL.
<u>41C 196492 00</u>	POINT OF DIVERSION NO. 1 USES WISCONSIN CREEK AS A NATURAL CARRIER FOR INDIAN CREEK WATER.
<u>41C 196988 00</u>	CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196989 00</u>	AS SPECIFIED IN THE STIPULATION FILED ON 12/12/2000, THE FLOW RATE IS DIVIDED AMONGST THE CO-CLAIMANTS AS FOLLOWS: WILLIAM F. SAXON AND JACQUELINE J SAXON .29 CFS, CHARLES D. ROSSITER AND ERIN ROSSITER .39 CFS, AND AHERN FAMILY TRUST .57 CFS. AS SPECIFIED ON THE WATER RIGHT TRANSFER CERTIFICATE FILED ON 02/22/1990, THE FOLLOWING ROTATIONAL USE AGREEMENT GOVERNS THE USE OF THIS WATER RIGHT: 41C 196989-01 OWNERS SHALL HAVE FULL USE OF THE WATER RATE AND VOLUME FOR 21 DAYS OF EACH 30 DAY PERIOD, ALTERNATING WITH THE 41C 106989-00 OWNERS' FULL USE OF THE WATER RATE AND VOLUME FOR THE REMAINING 9 DAYS OF EACH 30 DAY PERIOD. THE 41C 196989-01 OWNERS' PERIOD OF USE SHALL COMMENCE MAY 1 OF EACH YEAR, AND SHALL THEREAFTER ALTERNATE WITH 41C 196989-00 OWNERS' USE ACCORDING TO THE ABOVE SCHEDULE. CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS. THE OWNERS OF THE WATER RIGHTS LISTED BELOW HAVE AN UNDIVIDED INTEREST IN A SINGLE WATER RIGHT FOR 1.88 CUBIC FEET PER SECOND (75 MINER'S INCHES). THE COMBINED FLOW RATE OF THESE RIGHTS SHALL NOT EXCEED 1.88 CUBIC FEET PER SECOND. THESE WATER RIGHTS ARE GOVERNED BY A ROTATIONAL USE AGREEMENT FILED WITH THE WATER COURT ON 02/17/1996. 41C 23588-00, 41C 103758-00.
<u>41C 196990 00</u>	AS SPECIFIED IN THE STIPULATION FILED ON 12/12/2000, THE FLOW RATE IS DIVIDED AMONGST THE CO-CLAIMANTS AS FOLLOWS: WILLIAM F. SAXON AND JACQUELINE J. SAXON .573 CFS, CHARLES D. ROSSITER AND ERIN ROSSITER .775 CFS, AND AHERN FAMILY TRUST 1.152 CFS. AS SPECIFIED ON THE WATER RIGHT TRANSFER CERTIFICATE FILED ON 02/22/1990, THE FOLLOWING ROTATIONAL USE AGREEMENT GOVERNS THE USE OF THIS WATER RIGHT: 41C 196990-01 OWNERS SHALL HAVE FULL USE OF THE WATER RATE AND VOLUME FOR 21 DAYS OF EACH 30 DAY PERIOD ALTERNATING WITH THE 41C 196990-00 OWNERS' FULL USE OF THE WATER RATE AND VOLUME FOR THE REMAINING 9 DAYS OF EACH 30 DAY PERIOD. THE 41C 196990-01 OWNERS' PERIOD OF USE SHALL COMMENCE MAY 1 OF EACH YEAR, AND SHALL THEREAFTER ALTERNATE WITH 41C 196990-00 OWNERS' USE ACCORDING TO THE ABOVE SCHEDULE. CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196990 01</u>	AS SPECIFIED ON THE WATER RIGHT TRANSFER CERTIFICATE FILED ON FEBRUARY 22, 1990, THE FOLLOWING ROTATIONAL USE AGREEMENT GOVERNS THE USE OF THIS WATER RIGHT: 41C 196990-01 OWNERS SHALL HAVE FULL USE OF THE WATER RATE AND VOLUME FOR 21 DAYS OF EACH 30-DAY PERIOD, ALTERNATING WITH THE 41C 196990-00 OWNERS' FULL USE OF THE WATER RATE AND VOLUME FOR THE REMAINING 9 DAYS OF EACH 30-DAY PERIOD. THE 41C 196990-01 OWNERS' PERIOD OF USE SHALL COMMENCE MAY 1 OF EACH YEAR AND SHALL THEREAFTER ALTERNATE WITH 41C 196990-00 OWNERS' USE ACCORDING TO THE ABOVE SCHEDULE. CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196991 00</u>	AS SPECIFIED IN THE STIPULATION FILED ON 12/12/2000, THE FLOW RATE IS DIVIDED AMONGST THE CO-CLAIMANTS AS FOLLOWS: WILLIAM F. SAXON AND JACQUELINE J. SAXON .172 CFS, CHARLES D. ROSSITER AND ERIN ROSSITER .233 CFS, AND AHERN FAMILY TRUST .345 CFS. AS SPECIFIED ON THE WATER RIGHT TRANSFER CERTIFICATE FILED ON 02/22/1990, THE FOLLOWING ROTATIONAL USE AGREEMENT GOVERNS THE USE OF THIS WATER RIGHT: 41C 196991-01 OWNERS SHALL HAVE FULL USE OF THE WATER RATE AND VOLUME FOR 21 DAYS OF EACH 30 DAY PERIOD, ALTERNATING WITH THE 41C 196991-00 OWNERS' FULL USE OF THE WATER RATE AND VOLUME FOR THE REMAINING 9 DAYS OF EACH 30 DAY PERIOD. THE 41C 196991-01 OWNERS' PERIOD OF USE SHALL COMMENCE MAY 1 OF EACH YEAR, AND SHALL THEREAFTER ALTERNATE WITH 41C 196991-00 OWNERS' USE ACCORDING TO THE ABOVE SCHEDULE. CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196991 01</u>	AS SPECIFIED ON THE WATER RIGHT TRANSFER CERTIFICATE FILED ON 02/22/1990 THE FOLLOWING ROTATIONAL USE AGREEMENT GOVERNS THE USE OF THIS WATER RIGHT: 41C 196991-01 OWNERS SHALL HAVE FULL USE OF THE WATER RATE AND VOLUME FOR 21 DAYS OF EACH 30 DAY PERIOD, ALTERNATING WITH THE 41C 196991-00 OWNERS' FULL USE OF THE WATER RATE AND VOLUME FOR THE REMAINING 9 DAYS OF EACH 30 DAY PERIOD. THE 41C 196991-01 OWNERS' PERIOD OF USE SHALL COMMENCE MAY 1 OF EACH YEAR, AND SHALL THEREAFTER ALTERNATE WITH 41C 196991-00 OWNERS' USE ACCORDING TO THE ABOVE SCHEDULE.

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<u>41C 196991 01</u>	CLAIM FILED LATE 05/03/82 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 199036 00</u>	DITCH NAME ALSO KNOWN AS FOSTER BROWN DITCH.
<u>41C 204182 00</u>	MEANS OF DIVERSION INCLUDES A CISTERN.
<u>41C 210698 00</u>	CLAIM FILED LATE 01/19/1984 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.
<u>41C 35487 00</u>	DITCH NAME ALSO KNOWN AS FOSTER BROWN DITCH.
<u>41C 190895 00</u>	COMBINED FLOW RATE FOR CLAIM NOS. 41C 190891-00, 41C 190892-00, 41C 190893-00, 41C 190894-00, 41C 190895-00 AND 41C 190896-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND THE CONVEYANCE SYSTEM.
<u>41C 193834 00</u>	WATER IS PIPED TO TWO HOLDING TANKS.
<u>41C 196253 00</u>	CLAIM FILED LATE 05/03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 196989 01</u>	AS SPECIFIED ON THE WATER RIGHT TRANSFER CERTIFICATE FILED ON FEBRUARY 22, 1990, THE FOLLOWING ROTATIONAL USE AGREEMENT GOVERNS THE USE OF THIS WATER RIGHT: 41C-A-106989-01 OWNERS SHALL HAVE FULL USE OF THE WATER RATE AND VOLUME FOR 21 DAYS OF EACH 30-DAY PERIOD, ALTERNATING WITH THE 41C-A-196989-00 OWNERS' FULL USE OF THE WATER RATE AND VOLUME FOR THE REMAINING 9 DAYS OF EACH 30-DAY PERIOD. THE 41C-A-196989-01 OWNERS' PERIOD OF USE SHALL COMMENCE MAY 1 OF EACH YEAR AND SHALL THEREAFTER ALTERNATE WITH 41C-A-196989-00 OWNERS' USE ACCORDING TO THE ABOVE SCHEDULE. CLAIM FILED LATE 05/03/82 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
<u>41C 30120552</u>	A SPRING LOCATED IN THE SWNW OF SECTION 22, TOWNSHIP 4S, RANGE 5W ALSO SUPPLIES WATER FOR THE OFF STREAM RESERVOIR. DITCH NAME ALSO KNOWN AS FOSTER-BROWN DITCH.
<u>41C 30133316</u>	AFTER JULY 15 THIS RIGHT MAY NOT BE USED TO MAKE A CALL ON JUNIOR WATER USERS WITHOUT FIRST SHOWING THAT CURTAILMENT OF SUCH USERS WOULD RESULT IN WATER REACHING THE PLACE OF USE IN AMOUNTS THAT CAN BE PUT TO BENEFICIAL USE. THIS RIGHT INCLUDES HIGH OR FLOOD WATERS OF INDIAN CREEK.
<u>41C 30162251</u>	THE WATER RIGHT NUMBERS 41C 39192-00 AND 41C 30162251 SHARE A FLOW RATE OF 2.5 CFS. THE WATER RIGHT WILL BE OPERATED IN THE FOLLOWING MANNER: AS SHOWN IN DEED.
<u>41C 28988 00</u>	DITCH NAME ALSO KNOWN AS HILL DITCH #1, HILL DITCH #2, AND NORTH FORK #1.

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Water Right Number	REMARK
<u>41C 28989 00</u>	
	DITCH NAME ALSO KNOWN AS HILL DITCH #2, HILL DITCH #1, AND NORTH FORK #1.
<u>41C 28990 00</u>	
	DITCH NAME ALSO KNOWN AS HILL DITCH #2, HILL DITCH #1, AND NORTH FORK #1.
<u>41C 31201 00</u>	
	DITCH NAME ALSO KNOWN AS MARY SWAYZE DITCH.
<u>41C 31203 00</u>	
	DITCH NAME ALSO KNOWN AS MARY SWAYZE DITCH.
<u>41C 31204 00</u>	
	DITCH NAME ALSO KNOWN AS MARY SWAYZE DITCH.
<u>41C 35480 00</u>	
	DITCH NAME ALSO KNOWN AS FOSTER BROWN DITCH.
<u>41C 35483 00</u>	
	DITCH NAME ALSO KNOWN AS FOSTER BROWN DITCH.
<u>41C 35488 00</u>	
	DITCH NAME ALSO KNOWN AS FOSTER BROWN DITCH.
<u>41C 39172 00</u>	
	ALSO KNOWN AS BROWN SPRING CREEK NO. 1
<u>41C 39173 00</u>	
	ALSO KNOWN AS BROWN SPRING CREEK NO. 2
<u>41C 39183 00</u>	
	THE WATER RIGHT NUMBERS 41C 30162259 AND 41C 39183-00 SHARE A FLOW RATE OF 1.25 CFS. THE WATER RIGHT WILL BE OPERATED IN THE FOLLOWING MANNER: AS SHOWN IN DEED.
<u>41C 39192 00</u>	
	THE WATER RIGHT NUMBERS 41C 39192-00 AND 41C 30162251 SHARE A FLOW RATE OF 2.5 CFS. THE WATER RIGHT WILL BE OPERATED IN THE FOLLOWING MANNER: AS SHOWN IN DEED.
<u>41C 39193 00</u>	
	THE WATER RIGHT NUMBERS 41C 39193-00 AND 41C 30162261 SHARE A FLOW RATE OF 1.25 CFS. THE WATER RIGHT WILL BE OPERATED IN THE FOLLOWING MANNER: AS SHOWN IN DEED.