# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF **AVAILABILITY."**

Water Right Number:	76H 151258-00  STATEMENT OF CLAIM    Version:  1 ORIGINAL RIGHT    Status:  ACTIVE    Late Claim: A				
Owners:	BALTIMORE LIVING TRUST BALTIMORE, DAVID & ALICE TRUSTEES 1255 SOUTH GRAND AVE PASADENA, CA 91105 2835				
*Priority Date:	MAY 22, 1908				
	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.				
Type of Historical Right	: USE				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER/FLOOD				
Flow Rate:	2.00 CFS				
	PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.				
*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:	60.00				
Source Name:	SPRING, UNNAMED TRIBUTARY OF BITTERROOT RIVER				
Source Type:	SURFACE WATER				
Point of Diversion and Means of Diversion:					
ID	Govt Lot <u>Qtr Sec Sec Twp Rge County</u>				
1 *D	SWNESE 12 5N 21W RAVALLI : MAY 15 TO OCTOBER 1				
*Period of Diversion Diversion Means:	DAM				

# THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.

*Re	eservoir:	ONSTREAM						
		Govt Lot		<u>Qtr Sec</u> VNESE	<u>Sec</u> 12	<u>Twp</u> 5N	<u>Rge</u> 21W	<u>County</u> RAVALLI
	Diversion	to Reservoir:	DIVERS	SION # 1				
	Dam Heig	sht:	11.00	FEET				
	Depth:		8.00	FEET				
	Surface A	rea:	1.50	ACRES	5			
	Capacity:		4.80	ACRE-	FEET			
		THE CAP BEEN ES	,			EA, DAN	M HEIG	GHT, AND MAXIMUM DEPTH HAVE
Period o	f Use:	MAY 15 T	о осто	BER 1				
*Place of	Use:							
ID	Acre	s <u>Govt Lot</u>		<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
1	15.0	0	S2	2SESW	1	5N	21W	RAVALLI
2	30.0	0		NENW	12	5N	21W	RAVALLI
3	15.0	0		SENW	12	5N	21W	RAVALLI

#### **Remarks:**

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Total:

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.

151258-00 151259-00 151261-00

60.00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151258-00 Page 3 of 3

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151259-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
	Late Claim: A						
Owners:	BALTIMORE LIVING TRUST BALTIMORE, DAVID & ALICE TRUSTEES 1255 SOUTH GRAND AVE PASADENA, CA 91105 2835						
Priority Date:	MAY 22, 1908						
	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.						
Type of Historical Right	: USE						
Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER/FLOOD						
Flow Rate:	2.00 CFS						
*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:	60.00						
*Source Name: Source Type:	SPRING, UNNAMED TRIBUTARY OF BITTERROOT RIVER SURFACE WATER						
	THE SOURCE IS WATER COLLECTED ALONG THE LENGTH OF DITCH WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.						
*Point of Diversion and M ID	Means of Diversion: <u>Govt Lot</u> <u>Qtr Sec Sec Twp Rge County</u>						
1	NWNESE 12 5N 21W RAVALLI						
Period of Diversion Diversion Means:	I: MAY 15 TO OCTOBER 1 DITCH						

DECEMBER 4, 2015 76H 151259-00 Page 2 of 2

\*Point of Diversion and Means of Diversion:

<u>ID</u> 2		Govt Lot	<u>Qtr Sec</u> NENWSE	<u>Sec</u> 12	<u>Twp</u> 5N		<u>ounty</u> AVALLI
	od of Diversion ersion Means:	: MAY 15 TO C DITCH	OCTOBER 1				
Period of	f Use:	MAY 15 TO O	CTOBER 1				
*Place of	Use:						
ID	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>C</u>	<u>ounty</u>
1	15.00		S2SESW	1	5N	21W R	AVALLI
2	30.00		NENW	12	5N	21W R	AVALLI
3	15.00		SENW	12	5N	21W R	AVALLI
Total:	60.00						

#### **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.

151258-00 151259-00 151261-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151261-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE Late Claim: A				
Owners:	BALTIMORE LIVING TRUST BALTIMORE, DAVID & ALICE TRUSTEES 1255 SOUTH GRAND AVE PASADENA, CA 91105 2835				
<b>*Priority Date:</b>	MAY 22, 1908				
	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.				
Type of Historical Right	: USE				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER/FLOOD				
Flow Rate:	2.00 CFS				
	PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.				
*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:	60.00				
Source Name:	SPRING, UNNAMED TRIBUTARY OF BITTERROOT RIVER				
Source Type:	SURFACE WATER				
Point of Diversion and I ID	Vieans of Diversion: Govt Lot Qtr Sec Sec Twp Rge County				
<u>1</u>	NWSESE 12 5N 21W RAVALLI				
*Period of Diversion Diversion Means:	: MAY 15 TO OCTOBER 1 DAM				

# THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.

*Re	servoir:	ONSTREAM						
		<u>Govt Lot</u>	-	<u>Qtr Sec</u> VSESE	<u>Sec</u> 12	<u>Twp</u> 5N	<u>Rge</u> 21W	<u>County</u> RAVALLI
	Diversion	to Reservoir:	DIVERS	SION # 1				
	Dam Heig	ht:	11.00	FEET				
	Depth:		8.00	FEET				
	Surface A	rea:	2.50	ACRES	5			
	Capacity:		8.00	ACRE-	FEET			
		THE CAP BEEN ES	,		,	MAXIM	UM DE	EPTH, AND SURFACE AREA HAVE
Period o	f Use:	MAY 15 T	о осто	BER 1				
*Place of	Use:							
<u>ID</u>	Acre	<u>s</u> <u>Govt Lot</u>	-	Qtr Sec	Sec	Twp	<u>Rge</u>	County
1	15.0	0	S2	SESW	1	5N	21W	RAVALLI
2	30.0	0		NENW	12	5N	21W	RAVALLI
3	15.0	0		SENW	12	5N	21W	RAVALLI

#### **Remarks:**

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Total:

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151258-00 151259-00 151261-00

60.00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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Water Right Number:	76H 1512	6 <b>4-00</b> STA	TEMENT C	OF CLAIM
	Version:	1 ORIGIN	IAL RIGHT	
		Status:	WITHDR	AWN
Owners:	% RUTH D R6501 CO	WOODHOUS ENNEY UNTY ROAD LLINS, CO 80	86	
Priority Date:				
Enforceable Price	ority Date:			
Type of Historical Right	t <b>:</b>			
Purpose (use):	IRRIGATIO	DN		
Flow Rate:				
Volume:				
Source Name:	WASTE &	SEEPAGE, l	JNNAMED	TRIBUTARY OF BITTERROOT RIVER
Point of Diversion and N	Means of Div	ersion:		
Period of Use:				
Place of Use:				

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/21/1992.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OTATEMENT OF OLAINA

Water Right Number:	76H 1512	65-00	STAT	EMENT C	OF CLAIM	
	Version:	1 OF	RIGINA	L RIGHT		
		Status	:	WITHDR	AWN	
Owners:	ROBERT [ 14421 FU] SUN CITY	TURA D	R	375		
	TOM P UR 1600 OLD HAMILTON	DARBY	' RD			
	EVELYN M 14421 FUT SUN CITY	TURA DI	R	375		
Priority Date:						
Enforceable Price	ority Date:					
Type of Historical Right	t <b>:</b>					
Purpose (use):	IRRIGATIO	N				
Flow Rate:						
Volume:						
Source Name:	SPRING, L	JNNAM	ED TR	BUTAR	OF BITTE	RROOT RIVER
Point of Diversion and I	Means of Div	ersion:				
Period of Use:						
Place of Use:						

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 02/21/1992.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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Water Right Number:	76H 151266-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners:** 

CHRIS G EVANS 1509 SLEEPING CHILD RD HAMILTON, MT 59840 9775

JAK A EVANS 1653 LITTLE SLEEPING CHILD RD HAMILTON, MT 59840 8943

R NEIL MILLER 221 CARTWRIGHT WAY HAMILTON, MT 59840 9107

CAROL L NORTHCOTT 184 SLEEPING CHILD DR HAMILTON, MT 59840 9749

CRISTINA FAES 134 SLEEPING CHILD CT HAMILTON, MT 59840 9789

SUE C EVANS 1509 SLEEPING CHILD RD HAMILTON, MT 59840 9775

JULIO FAES 134 SLEEPING CHILD CT HAMILTON, MT 59840 9789

PEGGY S MASON 198 SLEEPING CHILD DR HAMILTON, MT 59840 9749

W IAN NORTHCOTT 184 SLEEPING CHILD DR HAMILTON, MT 59840 9749 DECEMBER 4, 2015 76H 151266-00 Page 2 of 4

> YAMARONE FAMILY TRUST YAMARONE CHARLES A JR & CATHERINE M TRUSTEESE 3925 BURRITT WAY LA CRESCENTA, CA 91214 9107

ESTELLE L SHUTTLEWORTH 143 SLEEPING CHILD DR HAMILTON, MT 59840 9749

DIANE S HOWE 122 SLEEPING CHILD DR HAMILTON, MT 59840 9749

HERBERT E HOWE 122 SLEEPING CHILD DR HAMILTON, MT 59840 9749

WARREN H GILLESPIE 168 SLEEPING CHILD DR HAMILTON, MT 59840 9749

JAY L DUCE 1374 OLD DARBY RD HAMILTON, MT 59840 9743

SHELLY LORANGER 154 SLEEPING CHILD DR HAMILTON, MT 59840 9749

LARRY B MASON 198 SLEEPING CHILD DR HAMILTON, MT 59840 9749

STACIE DUCE 1374 OLD DARBY RD HAMILTON, MT 59840 9743

JON N KOTT 22892 INDIANOLA RD NE POULSBO, WA 98370 7706

KEITH A WEST 167 SLEEPING CHILD DR HAMILTON, MT 59840 9749

FLOYD L BETHKE 140 SLEEPING CHILD DR HAMILTON, MT 59840 9749

JUDY KAY BETHKE 140 SLEEPING CHILD DR HAMILTON, MT 59840 9749

JIM G LORANGER 154 SLEEPING CHILD DR HAMILTON, MT 59840 9749

DAVID A GARTEN 125 SLEEPING CHILD CT HAMILTON, MT 59840 9789 DECEMBER 4, 2015 76H 151266-00 Page 3 of 4

> JAMES B SHUTTLEWORTH \*\*\*DECEASED\*\*\* 143 SLEEPING CHILD DR HAMILTON, MT 59840 9749

MICHELE R GILLESPIE 168 SLEEPING CHILD DR HAMILTON, MT 59840 9749

BARBARA J GARTEN 125 SLEEPING CHILD CT HAMILTON, MT 59840 9789 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: AUGUST 15, 1880

**Type of Historical Right: FILED** 

Purpose(us	e):	IRRIGATION							
Irrig	gation Type:	SPRINKLER/FLOOD							
*Flow Rate:		4.47 CFS							
		-	-		-		I REDUCED TO 17 GPM PER ACRE. PROPER OBJECTION.		
*Volume:		THE TOTAL V AMOUNT PUT		-		-	T SHALL NOT EXCEED THE CIAL USE.		
C	limatic Area	2 - MODERAT	ELY HIGH						
*Maximum	Acres:	118.00							
Source Nar	ne:	SLEEPING CH	HILD CREEK	(					
Source '	Гуре:	SURFAC	E WATER						
Point of Di	version and <b>N</b>	Aeans of Diversi	on:						
<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp		County		
			SESWNE	32	5N	20W	RAVALLI		
		: APRIL 1 TO N	IOVEMBER	15					
Divers Ditch I	ion Means: Name:	HEADGATE NORTH RATO		ł					
Period of U	se:	APRIL 1 TO NOVEMBER 15							
*Place of Us	e:								
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County		
1	8.00		S2SENW	30	5N	20W	RAVALLI		
2	30.00		SWNW	30	5N	20W	RAVALLI		
3	30.00		NWSE	30	5N	20W	RAVALLI		
4	38.00		NESW	30	5N	20W	RAVALLI		
5	7.00		E2NWSW	30	5N	20W	RAVALLI		
6	5.00		N2SESW	30	5N	20W	RAVALLI		
Tatal	110.00								

Total: 118.00

#### Remarks:

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105024-00 107997-00 151266-00 151267-00 151732-00 23830-00 30072779 30072785

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/19/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY PHYLLIS V. GIAMO.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/19/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY THE JACK EVANS FAMILY LIMITED PARTNERSHIP.

USDA AERIAL PHOTOGRAPH NO(S). 179-114 , DATED 08/02/1979 , APPEARS TO INDICATE 102.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CNR-2P-23 , DATED 08/01/1955 , APPEARS TO INDICATE 103.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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Water Right Number:	76H 151267-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	STACIE DUCE 1374 OLD DARBY RD HAMILTON, MT 59840 9743				
	WILMA R WOODHOUSE % RUTH DENNEY R6501 COUNTY ROAD 86 FORT COLLINS, CO 80524 9121				
	JAY L DUCE 1374 OLD DARBY RD HAMILTON, MT 59840 9743				
Priority Date:	JUNE 30, 1972				
Type of Historical Right	USE				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER/FLOOD				
Flow Rate:	210.00 GPM				
*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:	30.00				
Source Name:	BITTERROOT RIVER				
Source Type:	SURFACE WATER				

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#### \*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> SESENW	<u>Sec</u> 11	<u>Twp</u> 4N		<u>County</u> RAVALLI	
Peri	od of Diversion:	APRIL 25 TO	OCTOBER 2	25		Fl	ow Rate:	210.00 GPM
Dive	ersion Means:	HEADGATE						
Ditc	h Name:	HEDGE DITC	H					
2 - SE	CONDARY		NWSWNW	30	5N	20W	RAVALLI	
Peri	od of Diversion:	APRIL 25 TO	OCTOBER 2	25		Fl	ow Rate:	210.00 GPM
Dive	ersion Means:	PUMP						
		WATER DIVERTED FROM THE BITTERROOT RIVER IS CONVEYED TO HEDGE DITCH WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT O DIVERSION IN THE NWSWNW SEC 30 TWP 5N RGE 20W RAVALLI COUNTY.						
Period of	f Use:	APRIL 25 TO	OCTOBER 2	5				
Place of	Use:							
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>	
1	6.50		W2SWNW	30	5N	20W	RAVALLI	
2	23.50		E2NE	25	5N	21W	RAVALLI	
Total:	30.00							

#### 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.

105024-00 107997-00 151266-00 151267-00 151732-00 23830-00 30072779 30072785

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/21/1992: PLACE OF USE, MAXIMUM ACRES, PRIORITY DATE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BITTERROOT RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 1287 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151268-00 STATEMENT OF CLAIM
Water Right Rumber	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	WILMA R WOODHOUSE % RUTH DENNEY
	R6501 COUNTY ROAD 86
	FORT COLLINS, CO 80524 9121
	OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF
	THE OWNERS.
*Priority Date:	DECEMBER 31, 1923
Type of Historical Right	: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE
	CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT
	HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR
	STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING
	CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER
	SOURCE.
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER
Source Type:	SURFACE WATER
Point of Diversion and	Means of Diversion:
ID	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>
1	NWNWNW 30 5N 20W RAVALLI
	a: APRIL 25 TO OCTOBER 25
<b>Diversion Means:</b>	LIVESTOCK DIRECT FROM SOURCE
D 1 611	

Period of Use: APRIL 25 TO OCTOBER 25

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#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1			NWNWNW	30	5N	20W	RAVALLI

#### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151269-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	WILMA R WOODHOUSE % RUTH DENNEY R6501 COUNTY ROAD 86 FORT COLLINS, CO 80524 9121
	EARL W WOODHOUSE % RUTH DENNEY R6501 COUNTY ROAD 86 FORT COLLINS, CO 80524 9121
*Priority Date:	DECEMBER 30, 1963
Type of Historical Right	:: FILED
Purpose(use):	STOCK
Flow Rate:	35.00 GPM
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	SPRING, UNNAMED TRIBUTARY OF BEAR CREEK
Source Type:	GROUNDWATER
Point of Diversion and	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWNENW305N20WRAVALLI
Period of Diversion	a: JANUARY 1 TO DECEMBER 31
<b>Diversion Means:</b>	SPRING BOX
Period of Use:	JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1			SWNENW	30	5N	20W	RAVALLI

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/21/1992: FLOW RATE, TYPE OF RIGHT.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/11/2013 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY DALE A. AND VICKY L. BRYSON.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Period of Use:

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151278-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JOAN RHODDA 4195 GRIZZLY WAY STEVENSVILLE, MT 59870
Priority Date:	FEBRUARY 7, 1942
Type of Historical Right:	FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
*Flow Rate:	84.32 GPM
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	3 - MODERATE
Maximum Acres:	3.50
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF THREEMILE CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS WATER COLLECTED IN THE ANTRIM DITCHES.
*Point of Diversion and N	Ieans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESENE139N20WRAVALLI
Period of Diversion Diversion Means: Subdivision:	: MAY 1 TO SEPTEMBER 30 HEADGATE BUTTERFIELD ESTATES_TRACT/LOT: 2

MAY 1 TO SEPTEMBER 30

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	3.50		NESENE	13	9N	20W	RAVALLI
	Subdivision:	BUTTERFIELD	) ESTATES	TRA	CT/LO	Г: 2	
Total	: 3.50						

#### Remarks:

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 07/07/2014.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND **CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE** AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 15129	<b>91-00</b>	STAT	FEMENT OF	CLAIM
	Version:	1 Ol	RIGIN	AL RIGHT	
		Status	:	WITHDRAW	/N
Owners:	WANDA H 3423 BALE STEVENS	WIN R	D	870	
	DONALD 3423 BALE STEVENS	WIN R	D	-	
Priority Date:					
Enforceable Prio	rity Date:				
Type of Historical Right	:				
Purpose (use):	IRRIGATIO	N			
Flow Rate:					
Volume:					

BITTERROOT RIVER Source Name:

Point of Diversion and Means of Diversion:

**Period of Use:** 

Place of Use:

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 05/21/2015. 

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.** 

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:		- ORIGINAL		Т	AIM	
Owners:	MONTANA, S PO BOX 2007 HELENA, MT	01	PT OI	F FISH	WILDL	IFE & PARKS
Priority Date:	JULY 1, 1970					
Type of Historical Right	: USE					
Purpose(use): Flow Rate:	RECREATION 300.00 CFS	1				
Volume:	54,731.00 AC THE USE OF		R APF	PEARS	TO BE	LARGELY NONCONSUMPTIVE.
Source Name:	BITTERROOT	RIVER				
Source Type:	SURFAC	E WATER				
*Point of Diversion and I	Means of Diversi	on:				
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> W2	<u>Sec</u> 1	<u>Twp</u> 5N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	INSTREAM	EPTEMBER	30			
2 Period of Diversion Diversion Means:	I: JULY 1 TO SE	E2W2 EPTEMBER 3	12 30	5N	21W	RAVALLI
3		W2	13	5N	21W	RAVALLI
Period of Diversion Diversion Means:	INSTREAM	EPTEMBER	30			
4 Period of Diversion Diversion Means:	I: JULY 1 TO SE INSTREAM	N2 EPTEMBER 3	24 30	5N	21W	RAVALLI

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\*Point of Diversion and Means of Diversion: **Govt Lot** ID **Qtr Sec Rge** County Sec Twp 5 W2SE 24 5N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 21W RAVALLI 6 NW 25 5N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 7 W2 6 6N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 20W RAVALLI 8 NWNW 7 6N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 9 W2W2 7 20W RAVALLI 6N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM E2E2 12 21W RAVALLI 10 6N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 21W RAVALLI 11 E2 13 6N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 12 W2NE 24 6N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 13 SENW 24 6N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **INSTREAM Diversion Means:** 14 SW 24 6N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 15 W2 25 6N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** E2 26 21W RAVALLI 16 6N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 17 21W RAVALLI NE 35 6N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 18 W2W2SE 36 6N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 19 W2 21W RAVALLI 36 6N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM

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\*Point of Diversion and Means of Diversion: ID **Govt Lot Otr Sec Rge** County Sec Twp 20 E2 5 7N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM E2E2SE 20W RAVALLI 21 6 7N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 22 E2 7 7N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 20W RAVALLI 23 8 7N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 24 W2W2 17 7N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM E2 18 7N 20W RAVALLI 25 Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 20W RAVALLI 26 NE 19 7N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 27 SE 19 7N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 28 W2 20 7N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **INSTREAM Diversion Means:** 29 W2SWNW 29 7N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 30 E2 30 7N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** E2W2 20W RAVALLI 31 30 7N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 32 NWNE 20W RAVALLI 31 7N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 33 W2 31 7N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 34 20W RAVALLI 4 8N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM

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\*Point of Diversion and Means of Diversion: T<u>wp</u> **Govt Lot** ID **Qtr Sec Rge** County Sec 35 RAVALLI E2 8 8N 20W Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 20W RAVALLI 36 N2NW 9 8N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 37 E2 17 8N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 38 W2E2 20 8N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 39 W2 20 20W RAVALLI 8N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 40 29 20W RAVALLI 8N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM E2E2 20W RAVALLI 41 30 8N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 42 32 8N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 43 E2SE 21 9N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **INSTREAM Diversion Means:** 44 W2SW 22 9N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 45 W2 27 9N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** E2NE 28 20W RAVALLI 46 9N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 47 W2 20W RAVALLI 34 9N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** THIS RIGHT FOR RECREATION USE APPLIES FROM SLEEPING CHILD CREEK IN RAVALLI COUNTY DOWNSTREAM TO STEVENSVILLE IN RAVALLI COUNTY. JULY 1 TO SEPTEMBER 30 **Period of Use:** 

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## \*Place of Use:

<u>ID</u> 1	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u> 1	<u>Тwp</u> 5N	<u>Rge</u> 21W	<u>County</u> RAVALLI
2			E2W2	12	5N	21W	RAVALLI
3			W2	13	5N	21W	RAVALLI
4			N2	24	5N	21W	RAVALLI
5			W2SE	24	5N	21W	RAVALLI
6			NW	25	5N	21W	RAVALLI
7			W2	6	6N	20W	RAVALLI
8			NWNW	7	6N	20W	RAVALLI
9			W2W2	7	6N	20W	RAVALLI
10			E2E2	12	6N	21W	RAVALLI
11			E2	13	6N	21W	RAVALLI
12			W2NE	24	6N	21W	RAVALLI
13			SENW	24	6N	21W	RAVALLI
14			SW	24	6N	21W	RAVALLI
15			W2	25	6N	21W	RAVALLI
16			E2	26	6N	21W	RAVALLI
17			NE	35	6N	21W	RAVALLI
18			W2W2SE	36	6N	21W	RAVALLI
19			W2	36	6N	21W	RAVALLI
20				5	7N	20W	RAVALLI
21			E2E2SE	6	7N	20W	RAVALLI
22			E2	7	7N	20W	RAVALLI
23				8	7N	20W	RAVALLI
24			W2W2	17	7N	20W	RAVALLI
25			E2	18	7N	20W	RAVALLI
26			NE	19	7N	20W	RAVALLI
27			SE	19	7N	20W	RAVALLI
28			W2	20	7N	20W	RAVALLI
29			W2SWNW	29	7N	20W	RAVALLI
30			E2	30	7N	20W	RAVALLI
31			E2W2	30	7N	20W	RAVALLI
32			NWNE	31	7N	20W	RAVALLI
33			W2	31	7N	20W	RAVALLI
34				4	8N	20W	RAVALLI
35			E2	8	8N	20W	RAVALLI
36			N2NW	9	8N	20W	RAVALLI
37			E2	17	8N	20W	RAVALLI
38			W2E2	20	8N	20W	RAVALLI
39			W2	20	8N	20W	RAVALLI
40				29	8N	20W	RAVALLI
41			E2E2	30	8N	20W	RAVALLI
42				32	8N	20W	RAVALLI
43			E2SE	21	9N	20W	RAVALLI

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
44			W2SW	22	9N	20W	RAVALLI
45			W2	27	9N	20W	RAVALLI
46			E2NE	28	9N	20W	RAVALLI
47			W2	34	9N	20W	RAVALLI

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

A GUIDELINE FOR THE FLOW RATE AND VOLUME OF THIS CLAIM CANNOT BE DETERMINED FROM AVAILABLE INFORMATION, AND FLOW RATE AND VOLUME REMAIN AS ORIGINALLY CLAIMED. THE CLAIMED FLOW RATE AND VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE FLOW RATE AND VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:		ORIGINAL		Т	AIM	
Owners:	MONTANA, ST PO BOX 20070 HELENA, MT 5	1	PT OF	F FISH	WILDL	IFE & PARKS
Priority Date:	JULY 1, 1970					
Type of Historical Right	: USE					
Purpose(use):	RECREATION					
Flow Rate:	15,000.00 CFS					
		-		-	-	W OCCURRING ON ONE DAY FILE FOR MORE INFORMATION.
Volume:	29,745.00 AC-F	т				
	THE USE OF T	HIS WATE	R APP	EARS	TO BE	LARGELY NONCONSUMPTIVE.
Source Name:	BITTERROOT	RIVER				
Source Type:	SURFACE	WATER				
*Point of Diversion and I	Means of Diversio	n:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 3	<u>Twp</u> 9N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO JUN INSTREAM	IE 30				
2		W2E2	10	9N	20W	RAVALLI
Period of Diversion Diversion Means:	INSTREAM	IE 30				
3	INSTREAM	E2W2	10	9N	20W	RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO JUN INSTREAM					

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\*Point of Diversion and Means of Diversion: **Govt Lot** Rge County ID **Qtr Sec** Sec Twp 4 W2 15 9N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 20W RAVALLI 5 W2 22 9N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 6 SWNW 19 10N 19W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 20W RAVALLI 7 W2E2 1 10N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 8 W2E2 12 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 9 SESE 12 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 10 E2 13 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 11 E2E2NW 13 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 12 E2 24 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **INSTREAM Diversion Means:** 13 W2E2 25 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 14 S2SW 25 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** SESE 20W RAVALLI 15 34 10N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 16 20W RAVALLI E2 35 10N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 17 SW 35 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 18 N2 20W RAVALLI 36 10N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM

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\*Point of Diversion and Means of Diversion: **Govt Lot** Twp ID **Qtr Sec Rge** County Sec 19 SWSW 7 11N 19W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 19W MISSOULA 20 NWNW 18 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 21 SW 19 11N 19W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 22 W2 30 11N 19W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 23 W2 31 19W MISSOULA 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM SWSE 20W MISSOULA 24 1 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM W2 20W MISSOULA 25 1 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 26 E2 12 11N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 27 E2E2 13 11N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **INSTREAM Diversion Means:** 28 E2 24 11N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 29 E2E2SE 25 11N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** SE 20W MISSOULA 30 36 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 31 20W MISSOULA W2NE 12N 1 Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 32 W2 1 12N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 33 S2 2 20W MISSOULA 12N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM

*Point of Diversion and M	leans of Diversion:					
ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
34		SENE	10	12N	20W	
<b>Period of Diversion:</b>	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
35		SE	10	12N	20W	MISSOULA
<b>Period of Diversion:</b>	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
36		NW	11	12N	20W	MISSOULA
<b>Period of Diversion:</b>	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
37		W2E2	15	12N	20W	MISSOULA
<b>Period of Diversion:</b>	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
38		E2SW	15	12N	20W	MISSOULA
<b>Period of Diversion:</b>	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
39		NE	22	12N	20W	MISSOULA
<b>Period of Diversion:</b>	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
40		SWSE	23	12N	20W	MISSOULA
<b>Period of Diversion:</b>	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
41		W2	23	12N	20W	MISSOULA
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
42		W2	25	12N	20W	MISSOULA
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
43		N2NE	26	12N	20W	MISSOULA
Period of Diversion:		30				
<b>Diversion Means:</b>	INSTREAM					
44		W2W2	36	12N	20W	MISSOULA
Period of Diversion:		30				
<b>Diversion Means:</b>	INSTREAM					
45		W2SW	31	13N	19W	MISSOULA
Period of Diversion:		30				
<b>Diversion Means:</b>	INSTREAM					
46		W2	26	13N	20W	MISSOULA
Period of Diversion:		30				
	INSTREAM					
47		E2	27	13N	20W	MISSOULA
Period of Diversion:		30				
	INSTREAM					
48		NW	27	13N	20W	MISSOULA
Period of Diversion:		30				
<b>Diversion Means:</b>	INSTREAM					

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\*Point of Diversion and Means of Diversion: ID **Govt Lot Qtr Sec** <u>Twp</u> Rge County Sec 49 E2 34 13N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 50 S2 13N 20W MISSOULA 35 Period of Diversion: MAY 1 TO JUNE 30 INSTREAM **Diversion Means:** 51 20W MISSOULA S2SWNE 36 13N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 20W MISSOULA 52 S2 36 13N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM THIS RIGHT FOR RECREATION USE APPLIES FROM STEVENSVILLE IN RAVALLI COUNTY DOWNSTREAM TO THE CONFLUENCE WITH THE CLARK FORK RIVER IN MISSOULA COUNTY. MAY 1 TO JUNE 30 **Period of Use:** 

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1				3	9N	20W	RAVALLI
2			W2E2	10	9N	20W	RAVALLI
3			E2W2	10	9N	20W	RAVALLI
4				15	9N	20W	RAVALLI
5			W2	22	9N	20W	RAVALLI
6			SWNW	19	10N	19W	RAVALLI
7			W2E2	1	10N	20W	RAVALLI
8			W2E2	12	10N	20W	RAVALLI
9			SESE	12	10N	20W	RAVALLI
10			E2	13	10N	20W	RAVALLI
11			E2E2NW	13	10N	20W	RAVALLI
12			E2	24	10N	20W	RAVALLI
13			W2E2	25	10N	20W	RAVALLI
14			S2SW	25	10N	20W	RAVALLI
15			SESE	34	10N	20W	RAVALLI
16			E2	35	10N	20W	RAVALLI
17			SW	35	10N	20W	RAVALLI
18			N2	36	10N	20W	RAVALLI
19			SWSW	7	11N	19W	MISSOULA
20			NWNW	18	11N	19W	MISSOULA
21			SW	19	11N	19W	MISSOULA
22			W2	30	11N	19W	MISSOULA
23			W2	31	11N	19W	MISSOULA
24			SWSE	1	11N	20W	MISSOULA
25			W2	1	11N	20W	MISSOULA

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\*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
26			E2	12	11N	20W	MISSOULA
27			E2E2	13	11N	20W	MISSOULA
28			E2	24	11N	20W	MISSOULA
29			E2E2SE	25	11N	20W	MISSOULA
30			SE	36	11N	20W	MISSOULA
31			W2NE	1	12N	20W	MISSOULA
32			W2	1	12N	20W	MISSOULA
33			S2	2	12N	20W	MISSOULA
34			SENE	10	12N	20W	MISSOULA
35			SE	10	12N	20W	MISSOULA
36			NW	11	12N	20W	MISSOULA
37			W2E2	15	12N	20W	MISSOULA
38			E2SW	15	12N	20W	MISSOULA
39			NE	22	12N	20W	MISSOULA
40			SWSE	23	12N	20W	MISSOULA
41			W2	23	12N	20W	MISSOULA
42			W2	25	12N	20W	MISSOULA
43			N2NE	26	12N	20W	MISSOULA
44			W2W2	36	12N	20W	MISSOULA
45			W2SW	31	13N	19W	MISSOULA
46			W2	26	13N	20W	MISSOULA
47			E2	27	13N	20W	MISSOULA
48			NW	27	13N	20W	MISSOULA
49			E2	34	13N	20W	MISSOULA
50			S2	35	13N	20W	MISSOULA
51			S2SWNE	36	13N	20W	MISSOULA
52			S2	36	13N	20W	MISSOULA

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	v cristoni.	- ORIGINAL		T	AIM	
Owners:	MONTANA, ST PO BOX 2007( HELENA, MT 5	)1	Pt of	FISH	WILDL	IFE & PARKS
Priority Date:	JULY 1, 1970					
Type of Historical Right	: USE					
Purpose(use):	RECREATION					
Flow Rate:	6,000.00 CFS					
		-		-	-	W OCCURRING ON ONE DAY FILE FOR MORE INFORMATION.
Volume:	11,898.00 AC-	FT				
	THE USE OF	THIS WATE	R APP	EARS	TO BE	LARGELY NONCONSUMPTIVE.
*Source Name:	BITTERROOT	RIVER				
Source Type:	SURFAC	E WATER				
*Point of Diversion and M	Aeans of Diversion	on:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 6	<u>Twp</u> 2N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO JUI INSTREAM	NE 30				
2		E2	7	2N	20W	RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO JUI INSTREAM					
3 Period of Diversion Diversion Means:	: MAY 1 TO JUI INSTREAM	E2E2 NE 30	1	2N	21W	RAVALLI

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\*Point of Diversion and Means of Diversion: **Govt Lot** T<u>wp</u> Rge County ID **Qtr Sec** Sec 4 W2E2 2 3N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 21W RAVALLI 5 E2W2 2 3N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 6 W2E2 11 3N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 21W RAVALLI 7 E2W2 11 3N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 8 NE 14 21W RAVALLI 3N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 9 E2SE 21W RAVALLI 14 3N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 21W RAVALLI 10 E2 23 3N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 11 E2SESW 23 3N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 12 W2 25 3N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **INSTREAM Diversion Means:** 13 N2NE 26 3N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 14 E2 36 3N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** N2 21W RAVALLI 15 36 3N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 16 N2 2 21W RAVALLI 4N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 17 2 SW 4N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 18 W2SE 21W RAVALLI 11 4N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM

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*Poin	t of Diversion and M	leans of Diversion:					
<u>ID</u>		Govt Lot	<u>Qtr Sec</u>		Twp		County
19			W2	11	4N	21W	RAVALLI
	Period of Diversion:		30				
	Diversion Means:	INSTREAM					
20			N2N2	14	4N	21W	RAVALLI
	Period of Diversion:		30				
	Diversion Means:	INSTREAM	50	4 5	41	04144	
21	D		E2	15	4N	2100	RAVALLI
	Period of Diversion: Diversion Means:	INSTREAM	30				
22		INSTILLAN	NENE	22	4N	21\//	RAVALLI
	Period of Diversion:			22	411	2100	
	Diversion Means:	INSTREAM	50				
23				23	4N	21W	RAVALLI
	Period of Diversion:	MAY 1 TO JUNE	30	20		2111	
	Diversion Means:	INSTREAM					
24			E2	26	4N	21W	RAVALLI
	Period of Diversion:	MAY 1 TO JUNE	30				
	Diversion Means:	INSTREAM					
25			W2E2	35	4N	21W	RAVALLI
	Period of Diversion:	MAY 1 TO JUNE	30				
	<b>Diversion Means:</b>	INSTREAM					
26			E2W2	35	4N	21W	RAVALLI
	Period of Diversion:	MAY 1 TO JUNE	30				
	<b>Diversion Means:</b>	INSTREAM					
27			E2	25	5N	21W	RAVALLI
	Period of Diversion:		30				
	Diversion Means:	INSTREAM					
28			W2E2	36	5N	21W	RAVALLI
	Period of Diversion:		30				
	Diversion Means:	INSTREAM		00		04144	
29			E2W2	36	5N	2100	RAVALLI
	Period of Diversion:		30				
	Diversion Means:		DEODE				
		EAST AND WES	T FORKS	OF TH	HE BITT	ERRC	S FROM THE CONFLUENCE OF THE DOT RIVER IN RAVALLI COUNTY K IN RAVALLI COUNTY.
Perio	od of Use:	MAY 1 TO JUNE	30				
*Dlace	e of Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twn	Rge	<u>County</u>
	1202 00		2 200			8-	

*Place	of	Use:	
TD			

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u> <u>County</u>
1				6	2N	20W RAVALLI
2			E2	7	2N	20W RAVALLI
3			E2E2	1	2N	21W RAVALLI
4			W2E2	2	3N	21W RAVALLI
5			E2W2	2	3N	21W RAVALLI
6			W2E2	11	3N	21W RAVALLI

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*Place	of Use:
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ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
7			E2W2	11	3N	21W	RAVALLI
8			NE	14	3N	21W	RAVALLI
9			E2SE	14	3N	21W	RAVALLI
10			E2	23	3N	21W	RAVALLI
11			E2SESW	23	3N	21W	RAVALLI
12			W2	25	3N	21W	RAVALLI
13			N2NE	26	3N	21W	RAVALLI
14			E2	36	3N	21W	RAVALLI
15			N2	36	3N	21W	RAVALLI
16			N2	2	4N	21W	RAVALLI
17			SW	2	4N	21W	RAVALLI
18			W2SE	11	4N	21W	RAVALLI
19			W2	11	4N	21W	RAVALLI
20			N2N2	14	4N	21W	RAVALLI
21			E2	15	4N	21W	RAVALLI
22			NENE	22	4N	21W	RAVALLI
23				23	4N	21W	RAVALLI
24			E2	26	4N	21W	RAVALLI
25			W2E2	35	4N	21W	RAVALLI
26			E2W2	35	4N	21W	RAVALLI
27			E2	25	5N	21W	RAVALLI
28			W2E2	36	5N	21W	RAVALLI
29			E2W2	36	5N	21W	RAVALLI

#### **Remarks:**

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

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

A GUIDELINE FOR THE FLOW RATE AND VOLUME OF THIS CLAIM CANNOT BE DETERMINED FROM AVAILABLE INFORMATION, AND FLOW RATE AND VOLUME REMAIN AS ORIGINALLY CLAIMED. THE CLAIMED FLOW RATE AND VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE FLOW RATE AND VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	verbion.	ORIGINAL		Т	AIM	
Owners:	MONTANA, ST PO BOX 20070 HELENA, MT 5	1	PT OF	F FISH	WILDL	IFE & PARKS
Priority Date:	JULY 1, 1970					
Type of Historical Right	: USE					
Purpose(use): Flow Rate:	RECREATION 250.00 CFS					
Volume:	45,609.00 AC-F THE USE OF T		r app	PEARS	TO BE	LARGELY NONCONSUMPTIVE.
*Source Name:	BITTERROOT	RIVER				
Source Type:	SURFACE	WATER				
*Point of Diversion and I	Means of Diversio	n:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 6	<u>Twp</u> 2N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: JULY 1 TO SE INSTREAM	PTEMBER	-	2.1	2011	
2 Period of Diversion Diversion Means:	: JULY 1 TO SE	E2 PTEMBER	7 30	2N	20W	RAVALLI
3 Period of Diversion Diversion Means:	: JULY 1 TO SE	E2E2	1 30	2N	21W	RAVALLI
4 Period of Diversion Diversion Means:	: JULY 1 TO SEI INSTREAM	W2E2 PTEMBER	2 30	3N	21W	RAVALLI

DECEMBER 4, 2015 76H 151308-00 Page 2 of 5

\*Point of Diversion and Means of Diversion: **Govt Lot** ID Qtr Sec **Rge** County Sec Twp 5 E2W2 2 3N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 21W RAVALLI 6 W2E2 11 3N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 7 E2W2 11 3N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 21W RAVALLI 8 NE 14 3N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 9 E2SE 21W RAVALLI 14 3N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM E2 23 21W RAVALLI 10 3N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 21W RAVALLI 11 E2SESW 23 3N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 12 W2 25 3N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 13 N2NE 26 3N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **INSTREAM Diversion Means:** 14 E2 36 3N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 15 N2 36 3N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** N2 2 21W RAVALLI 16 4N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 17 SW 2 21W RAVALLI 4N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 18 W2SE 11 4N 21W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 19 W2 21W RAVALLI 11 4N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM

DECEMBER 4, 2015 76H 151308-00 Page 3 of 5

*Point of Diversion and M	eans of Diversion:					
ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
20		N2N2	14	4N	21W	RAVALLI
<b>Period of Diversion:</b>	JULY 1 TO SEPT	EMBER 3	0			
<b>Diversion Means:</b>	INSTREAM					
21		E2	15	4N	21W	RAVALLI
<b>Period of Diversion:</b>	JULY 1 TO SEPT	EMBER 3	0			
<b>Diversion Means:</b>	INSTREAM					
22		NENE	22	4N	21W	RAVALLI
Period of Diversion:	JULY 1 TO SEPT	EMBER 3	0			
<b>Diversion Means:</b>	INSTREAM					
23			23	4N	21W	RAVALLI
<b>Period of Diversion:</b>	JULY 1 TO SEPT	EMBER 3	0			
<b>Diversion Means:</b>	INSTREAM					
24		E2	26	4N	21W	RAVALLI
<b>Period of Diversion:</b>	JULY 1 TO SEPT	EMBER 3	0			
<b>Diversion Means:</b>	INSTREAM					
25		W2E2	35	4N	21W	RAVALLI
<b>Period of Diversion:</b>	JULY 1 TO SEPT	EMBER 3	0			
<b>Diversion Means:</b>	INSTREAM					
26		E2W2	35	4N	21W	RAVALLI
Period of Diversion:	JULY 1 TO SEPT	EMBER 3	0			
<b>Diversion Means:</b>	INSTREAM					
27		E2	25	5N	21W	RAVALLI
Period of Diversion:	JULY 1 TO SEPT	EMBER 3	0			
<b>Diversion Means:</b>	INSTREAM					
28		W2E2	36	5N	21W	RAVALLI
Period of Diversion:	JULY 1 TO SEPT	EMBER 3	80	-		
Diversion Means:	INSTREAM		-			
29		E2W2	36	5N	21W	RAVALLI
Period of Diversion:	JULY 1 TO SEPT			••••		
Diversion Means:	INSTREAM		•			
	THIS RIGHT FOR EAST AND WES	<b>FORKS</b>	OF TH	HE BIT	TERRO	ES FROM THE CONFLUENCE OF THE DOT RIVER IN RAVALLI COUNTY K IN RAVALLI COUNTY.

Period of Use:

JULY 1 TO SEPTEMBER 30

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1				6	2N	20W RAVALLI
2			E2	7	2N	20W RAVALLI
3			E2E2	1	2N	21W RAVALLI
4			W2E2	2	3N	21W RAVALLI
5			E2W2	2	3N	21W RAVALLI
6			W2E2	11	3N	21W RAVALLI
7			E2W2	11	3N	21W RAVALLI
8			NE	14	3N	21W RAVALLI
9			E2SE	14	3N	21W RAVALLI

DECEMBER 4, 2015 76H 151308-00 Page 4 of 5

*Place	of	Use:
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<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
10			E2	23	3N	21W RAVALLI
11			E2SESW	23	3N	21W RAVALLI
12			W2	25	3N	21W RAVALLI
13			N2NE	26	3N	21W RAVALLI
14			E2	36	3N	21W RAVALLI
15			N2	36	3N	21W RAVALLI
16			N2	2	4N	21W RAVALLI
17			SW	2	4N	21W RAVALLI
18			W2SE	11	4N	21W RAVALLI
19			W2	11	4N	21W RAVALLI
20			N2N2	14	4N	21W RAVALLI
21			E2	15	4N	21W RAVALLI
22			NENE	22	4N	21W RAVALLI
23				23	4N	21W RAVALLI
24			E2	26	4N	21W RAVALLI
25			W2E2	35	4N	21W RAVALLI
26			E2W2	35	4N	21W RAVALLI
27			E2	25	5N	21W RAVALLI
28			W2E2	36	5N	21W RAVALLI
29			E2W2	36	5N	21W RAVALLI

#### **Remarks:**

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

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Water Right Number:		ORIGINAL		T	AIM	
Owners:	MONTANA, S PO BOX 2007 HELENA, MT	01	PT OF	FISH	WILDL	IFE & PARKS
Priority Date:	JULY 1, 1970					
Type of Historical Right	: USE					
Purpose(use):	RECREATION	1				
Flow Rate:	11,000.00 CF	S				
				• · · · —·		W OCCURRING ON ONE DAY FILE FOR MORE INFORMATION.
Volume:	21,813.00 AC	-FT				
	THE USE OF	THIS WATEI	R APP	EARS	TO BE	LARGELY NONCONSUMPTIVE.
*Source Name:	BITTERROOT	RIVER				
Source Type:	SURFAC	E WATER				
*Point of Diversion and M	Aeans of Diversi	on:				
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> W2	<u>Sec</u> 1	<u>Тwp</u> 5N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO JU INSTREAM	NE 30				
2		E2W2	12	5N	21W	RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO JU INSTREAM	NE 30				
3		W2	13	5N	21W	RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO JU INSTREAM	NE 30				

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\*Point of Diversion and Means of Diversion: **Govt Lot** <u>Twp</u> Rge County ID **Qtr Sec** Sec 4 N2 24 5N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM W2SE 21W RAVALLI 5 24 5N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 6 NW 25 5N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 20W RAVALLI 7 W2 6 6N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 8 NWNW 7 6N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 9 W2W2 7 6N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM E2E2 21W RAVALLI 10 12 6N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 11 E2 13 6N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 12 W2NE 24 6N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **INSTREAM Diversion Means:** 13 SENW 24 6N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 14 SW 24 6N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** W2 25 21W RAVALLI 15 6N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 16 E2 26 21W RAVALLI 6N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 17 NE 35 6N 21W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 18 W2W2SE 21W RAVALLI 36 6N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM

DECEMBER 4, 2015 76H 151309-00 Page 3 of 6

*Point of Diversion and M	leans of Diversion:						
ID	Govt Lot	Otr	Sec	Sec	Twp	Rge	<b>County</b>
19		<u> </u>	W2	36	6N		RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30					
Diversion Means:	INSTREAM						
20			E2	5	7N	2014/	RAVALLI
		20	ΕZ	5	715	2000	RAVALLI
Period of Diversion:		30					
<b>Diversion Means:</b>	INSTREAM						
21		E2E	2SE	6	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30					
<b>Diversion Means:</b>	INSTREAM						
22			E2	7	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30					
<b>Diversion Means:</b>	INSTREAM						
23				8	7N	20\\/	RAVALLI
Period of Diversion:		20		0	/11	2000	NAVALLI
	INSTREAM	30					
Diversion Means:	INSTREAM			. –			<b>B</b> 43 (41 1 1
24			2W2	17	7N	2000	RAVALLI
Period of Diversion:		30					
<b>Diversion Means:</b>	INSTREAM						
25			E2	18	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30					
<b>Diversion Means:</b>	INSTREAM						
26			NE	19	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30					
Diversion Means:		00					
27			SE	19	7N	2014/	RAVALLI
		20	0L	19	711	2000	
Period of Diversion:		30					
Diversion Means:	INSTREAM			~ ~			<b>B</b> 43 (41 1 1
28			W2	20	7N	2000	RAVALLI
Period of Diversion:		30					
<b>Diversion Means:</b>	INSTREAM						
29	W2	2SW	NW	29	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30					
<b>Diversion Means:</b>	INSTREAM						
30			E2	30	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30					
Diversion Means:	INSTREAM	00					
31		E	2W2	30	7N	2014/	RAVALLI
			2002	30	711	2000	RAVALLI
Period of Diversion:		30					
<b>Diversion Means:</b>	INSTREAM						
32			/NE	31	7N	20W	RAVALLI
Period of Diversion:		30					
<b>Diversion Means:</b>	INSTREAM						
33			W2	31	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30					
<b>Diversion Means:</b>	INSTREAM						

DECEMBER 4, 2015 76H 151309-00 Page 4 of 6

\*Point of Diversion and Means of Diversion:

*Point of Diversion and M $\underline{ID}$		Qtr Sec		Twp		County
34			4	8N	20W	RAVALLI
Period of Diversion:		50				
Diversion Means:	INSTREAM	50	0		00144	DAY/ALL
35		E2	8	8N	2000	RAVALLI
Period of Diversion:		50				
Diversion Means: 36	INSTREAM	N2NW	9	8N	2014/	RAVALLI
SO Period of Diversion:			9	OIN	2000	RAVALLI
Diversion Means:	INSTREAM	0				
37		N2NW	9	8N	20\\/	RAVALLI
Period of Diversion:			Ũ		2000	
Diversion Means:	INSTREAM					
38		E2	17	8N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE 3	0				
<b>Diversion Means:</b>	INSTREAM					
39		W2E2	20	8N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE 3	0				
<b>Diversion Means:</b>	INSTREAM					
40		W2	20	8N	20W	RAVALLI
Period of Diversion:		80				
<b>Diversion Means:</b>	INSTREAM					
41		-	29	8N	20W	RAVALLI
Period of Diversion:		80				
Diversion Means:	INSTREAM		20	0.01	2014/	
42 Period of Diversion:		E2E2	30	8N	2000	RAVALLI
Diversion Means:	INSTREAM	0				
43			32	8N	20\\/	RAVALLI
Period of Diversion:	MAY 1 TO JUNE 3	0	02		2000	
Diversion Means:	INSTREAM	•				
44	١	W2SW	22	9N	20W	RAVALLI
Period of Diversion:						
<b>Diversion Means:</b>	INSTREAM					
45		W2	27	9N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE 3	0				
<b>Diversion Means:</b>	INSTREAM					
46		E2NE	28	9N	20W	RAVALLI
Period of Diversion:		80				
<b>Diversion Means:</b>	INSTREAM					
47		W2	34	9N	20W	RAVALLI
Period of Diversion: Diversion Means:	MAY 1 TO JUNE 3 INSTREAM	60				
						S FROM SLEEPING CHILD CREEK IN ENSVILLE IN RAVALLI COUNTY.
Period of Use:	MAY 1 TO JUNE 3	0				

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#### \*Place of Use:

<u>ID</u> 1	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u> 1	<u>Тwp</u> 5N	<u>Rge</u> 21W	<u>County</u> RAVALLI
2			E2W2	12	5N	21W	RAVALLI
3			W2	13	5N	21W	RAVALLI
4			N2	24	5N	21W	RAVALLI
5			W2SE	24	5N	21W	RAVALLI
6			NW	25	5N	21W	RAVALLI
7			W2	6	6N	20W	RAVALLI
8			NWNW	7	6N	20W	RAVALLI
9			W2W2	7	6N	21W	RAVALLI
10			E2E2	12	6N	21W	RAVALLI
11			E2	13	6N	21W	RAVALLI
12			W2NE	24	6N	21W	RAVALLI
13			SENW	24	6N	21W	RAVALLI
14			SW	24	6N	21W	RAVALLI
15			W2	25	6N	21W	RAVALLI
16			E2	26	6N	21W	RAVALLI
17			NE	35	6N	21W	RAVALLI
18			W2W2SE	36	6N	21W	RAVALLI
19			W2	36	6N	21W	RAVALLI
20				5	7N	20W	RAVALLI
21			E2E2SE	6	7N	20W	RAVALLI
22			E2	7	7N	20W	RAVALLI
23				8	7N	20W	RAVALLI
24			W2W2	17	7N	20W	RAVALLI
25			E2	18	7N	20W	RAVALLI
26			NE	19	7N	20W	RAVALLI
27			SE	19	7N	20W	RAVALLI
28			W2	20	7N	20W	RAVALLI
29			W2SWNW	29	7N	20W	RAVALLI
30			E2	30	7N	20W	RAVALLI
31			E2W2	30	7N	20W	RAVALLI
32			NWNE	31	7N	20W	RAVALLI
33			W2	31	7N	20W	RAVALLI
34				4	8N	20W	RAVALLI
35			E2	8	8N	20W	RAVALLI
36			N2NW	9	8N	20W	RAVALLI
37			N2NW	9	8N	20W	RAVALLI
38			E2	17	8N	20W	RAVALLI
39			W2E2	20	8N	20W	RAVALLI
40			W2	20	8N	20W	RAVALLI
41				29	8N	20W	RAVALLI
42			E2E2	30	8N	20W	RAVALLI
43				32	8N	20W	RAVALLI

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<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
44			W2SW	22	9N	20W	RAVALLI
45			W2	27	9N	20W	RAVALLI
46			E2NE	28	9N	20W	RAVALLI
47			W2	34	9N	20W	RAVALLI

#### **Remarks:**

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

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### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:		1 ORIGINAL		Т	AIM	
Owners:	MONTANA, PO BOX 200	STATE OF DE	-		WILDL	IFE & PARKS
Priority Date:	JULY 1, 197	0				
Type of Historical Right	: USE					
Purpose(use): Flow Rate:	RECREATIO 5,500.00 CF					
Volume:	654,390.00 / THE USE O		R APF	EARS	TO BE	LARGELY NONCONSUMPTIVE.
*Source Name:	BITTERROO	OT RIVER				
Source Type:	SURFA	ACE WATER				
*Point of Diversion and M	leans of Diver	sion:				
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> W2	<u>Sec</u> 1	<u>Twp</u> 5N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO J INSTREAM	UNE 30				
2 Period of Diversion		E2W2 IUNE 30	12	5N	21W	RAVALLI
Diversion Means: 3	INSTREAM	W2	13	5N	21W	RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO J INSTREAM					
4 Period of Diversion Diversion Means:	: MAY 1 TO J INSTREAM	N2 IUNE 30	24	5N	21W	RAVALLI

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*Point of Diversion and M	leans of Diversion:					
<u>ID</u> 5	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>Count</u>	y
		W2SE	24	5N	21W RAVA	LLI
Period of Diversion:		30				
<b>Diversion Means:</b>	INSTREAM					
6		NW	25	5N	21W RAVA	LLI
Period of Diversion:		30				
	INSTREAM	14/0	•			
7		W2	6	6N	20W RAVA	LLI
Period of Diversion: Diversion Means:	INSTREAM	30				
8	INSTREAM	NWNW	7	6N	20W RAVA	
o Period of Diversion:			1	UN	2000 RAVA	
Diversion Means:		30				
9		W2W2	7	6N	20W RAVA	
Period of Diversion:	MAY 1 TO JUNE				2011 101070	
	INSTREAM					
10		E2	13	6N	21W RAVA	LLI
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
11		W2NE	24	6N	21W RAVA	LLI
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
12		SENW	24	6N	21W RAVA	LLI
Period of Diversion:		30				
<b>Diversion Means:</b>	INSTREAM					
13		SW	24	6N	21W RAVA	LLI
Period of Diversion:		30				
<b>Diversion Means:</b>	INSTREAM		~-			
14		W2	25	6N	21W RAVA	
Period of Diversion: Diversion Means:		30				
15		E2	26	6N	21W RAVA	
Period of Diversion:			20	OIN	ZIVV KAVA	
Diversion Means:	INSTREAM	50				
16		NE	35	6N	21W RAVA	
Period of Diversion:	MAY 1 TO JUNE		00		2100 100070	
	INSTREAM					
17	W	/2W2SE	36	6N	21W RAVA	LLI
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
18		W2	36	6N	21W RAVA	LLI
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
19		E2	5	7N	20W RAVA	LLI
Period of Diversion:		30				
<b>Diversion Means:</b>	INSTREAM					

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*Point of Diversion and M	leans of Diversion	:					
ID	Govt Lot	Otr	Sec	Sec	Twp	Rge	County
20		E2E		6	7N		RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30					
Diversion Means:	INSTREAM						
21			E2	7	7N	2014/	RAVALLI
		- 00	ΕZ	1	718	2000	RAVALLI
Period of Diversion:		- 30					
<b>Diversion Means:</b>	INSTREAM						
22				8	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	E 30					
<b>Diversion Means:</b>	INSTREAM						
23		W2	2W2	17	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	E 30					
	INSTREAM						
24			E2	18	7N	20\\/	RAVALLI
Period of Diversion:		- 20	22	10	/ 1	2000	
		2 30					
Diversion Means:	INSTREAM						<b>B</b> 43 (41 1 1
25			NE	19	7N	2000	RAVALLI
Period of Diversion:		E 30					
<b>Diversion Means:</b>	INSTREAM						
26			SE	19	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	E 30					
<b>Diversion Means:</b>	INSTREAM						
27			W2	20	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	- 30					
Diversion Means:	INSTREAM	- 00					
28		2SW		29	7N	2014/	RAVALLI
				29	/11	2000	
Period of Diversion:		50					
<b>Diversion Means:</b>	INSTREAM						
29			E2	30	7N	2000	RAVALLI
Period of Diversion:		E 30					
<b>Diversion Means:</b>	INSTREAM						
30		N٧	/NE	30	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	E 30					
<b>Diversion Means:</b>	INSTREAM						
31		E2	2W2	30	7N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	= 30					
	INSTREAM	- 00					
32			W2	31	7N	2014/	RAVALLI
		- 00	٧٧Z	31	718	2000	RAVALLI
Period of Diversion:		: 30					
<b>Diversion Means:</b>	INSTREAM						
33				4	8N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30					
<b>Diversion Means:</b>	INSTREAM						
34			E2	8	8N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	E 30					
<b>Diversion Means:</b>	INSTREAM						
· - · · · · ·							

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*Point of Diversion and M	leans of Diversion:					
<u>ID</u> 35	Govt Lot	<u>Qtr Sec</u> N2NW	<u>Sec</u> 9	<u>Twp</u> 8N		<u>County</u> RAVALLI
<b>Period of Diversion:</b>	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
36		N2NW	9	8N	20W	RAVALLI
Period of Diversion:		30				
Diversion Means:	INSTREAM	БО	47		00144	
37 Period of Diversion:		E2	17	8N	2000	RAVALLI
Diversion Means:	INSTREAM	30				
38		W2E2	20	8N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
39		W2	20	8N	20W	RAVALLI
Period of Diversion:		30				
Diversion Means:	INSTREAM		~~		0014/	
40 Period of Diversion:		20	29	8N	2000	RAVALLI
Diversion Means:	INSTREAM	30				
41		E2E2	30	8N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30		-	-	
<b>Diversion Means:</b>	INSTREAM					
42			32	8N	20W	RAVALLI
Period of Diversion:		30				
Diversion Means:	INSTREAM					
43		E2E2	12	8N	21W	RAVALLI
Period of Diversion: Diversion Means:	INSTREAM	30				
44	INGTREAM	W2SW	22	9N	20\W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE				2011	
<b>Diversion Means:</b>						
45		W2	27	9N	20W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
46		E2NE	28	9N	20W	RAVALLI
Period of Diversion: Diversion Means:	INSTREAM	30				
47	INSTREAM	W2	34	9N	20\\/	RAVALLI
Period of Diversion:	MAY 1 TO JUNE		54	311	2000	
Diversion Means:	INSTREAM					
						S FROM SLEEPING CHILD CREEK IN ENSVILLE IN RAVALLI COUNTY.
Period of Use:	MAY 1 TO JUNE	30				

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\*Place of Use:

$\frac{ID}{1}$	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 1	<u>Twp</u> 5N	<u>Rge</u> 21W	<u>County</u> RAVALLI
2			E2W2	12	5N	21W	RAVALLI
3			W2	13	5N	21W	RAVALLI
4			N2	24	5N	21W	RAVALLI
5			W2SE	24	5N	21W	RAVALLI
6			NW	25	5N	21W	RAVALLI
7			W2	6	6N	20W	RAVALLI
8			NWNW	7	6N	20W	RAVALLI
9			W2W2	7	6N	21W	RAVALLI
10			E2	13	6N	21W	RAVALLI
11			W2NE	24	6N	21W	RAVALLI
12			SENW	24	6N	21W	RAVALLI
13			SW	24	6N	21W	RAVALLI
14			W2	25	6N	21W	RAVALLI
15			E2	26	6N	21W	RAVALLI
16			NE	35	6N	21W	RAVALLI
17			W2W2SE	36	6N	21W	RAVALLI
18			W2	36	6N	21W	RAVALLI
19				5	7N	20W	RAVALLI
20			E2E2SE	6	7N	20W	RAVALLI
21			E2	7	7N	20W	RAVALLI
22				8	7N	20W	RAVALLI
23			W2W2	17	7N	20W	RAVALLI
24			E2	18	7N	20W	RAVALLI
25			NE	19	7N	20W	RAVALLI
26			SE	19	7N	20W	RAVALLI
27			W2	20	7N	20W	RAVALLI
28			W2SWNW	29	7N	20W	RAVALLI
29			E2	30	7N	20W	RAVALLI
30			NWNE	30	7N	20W	RAVALLI
31			E2W2	30	7N	20W	RAVALLI
32			W2	31	7N	20W	RAVALLI
33				4	8N	20W	RAVALLI
34			E2	8	8N	20W	RAVALLI
35			N2NW	9	8N	20W	RAVALLI
36			N2NW	9	8N	20W	RAVALLI
37			E2	17	8N	20W	RAVALLI
38			W2E2	20	8N	20W	RAVALLI
39			W2	20	8N	20W	RAVALLI
40				29	8N	20W	RAVALLI
41			E2E2	30	8N	20W	RAVALLI
42				32	8N	20W	RAVALLI
43			E2E2	12	8N	21W	RAVALLI

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
44			W2SW	22	9N	20W	RAVALLI
45			W2	27	9N	20W	RAVALLI
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Water Right Number:		ORIGINAL		Т	AIM	
Owners:	MONTANA, S PO BOX 200 HELENA, MT	701	PT OI	F FISH	WILDL	IFE & PARKS
Priority Date:	JULY 1, 1970	)				
Type of Historical Right	: USE					
Purpose(use): Flow Rate:	RECREATIC 7,700.00 CF	S				
Volume:	916,146.00 A			FARS	TO BE	LARGELY NONCONSUMPTIVE.
Source Name: Source Type:	BITTERROC	-				
*Point of Diversion and I	Means of Diver	sion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 3	<u>Twp</u> 9N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO J INSTREAM	UNE 30				
2 Period of Diversion Diversion Means:	: MAY 1 TO J INSTREAM	W2E2 UNE 30	10	9N	20W	RAVALLI
3 Period of Diversion Diversion Means:	: MAY 1 TO J INSTREAM	E2W2 UNE 30	10	9N	20W	RAVALLI
4 Period of Diversion Diversion Means:	: MAY 1 TO J INSTREAM	W2 UNE 30	15	9N	20W	RAVALLI

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\*Point of Diversion and Means of Diversion: **Govt Lot** Rge County ID **Qtr Sec** Sec Twp RAVALLI 5 W2 22 9N 20W Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 6 SWNW 19 10N 19W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 7 W2E2 10N 20W RAVALLI 1 Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 20W RAVALLI 8 W2E2 12 10N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 9 SESE 12 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM E2 13 10N 20W RAVALLI 10 Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 20W RAVALLI 11 E2E2NW 13 10N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 12 E2 24 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 13 W2E2 25 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **INSTREAM Diversion Means:** 14 S2SW 25 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 15 SESE 34 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** E2 10N 20W RAVALLI 16 35 Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 17 SW 20W RAVALLI 35 10N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 18 N2 36 10N 20W RAVALLI Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 19 SWSW 19W MISSOULA 7 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM

DECEMBER 4, 2015 76H 151311-00 Page 3 of 7

\*Point of Diversion and Means of Diversion: **Govt Lot** ID **Qtr Sec Rge** County Sec Twp 20 NWNW 18 11N 19W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 19W MISSOULA 21 SW 19 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 22 W2 30 19W MISSOULA 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 23 W2 31 11N 19W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 24 SWSE 20W MISSOULA 1 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM W2 20W MISSOULA 25 1 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 20W MISSOULA 26 E2 12 11N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 27 E2E2 13 11N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 28 E2 24 11N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 29 E2E2SE 25 11N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 30 SE 36 11N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 20W MISSOULA 31 W2NE 1 12N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM W2 32 20W MISSOULA 1 12N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 33 S2 2 12N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 34 20W MISSOULA SENE 10 12N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM

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\*Point of Diversion and Means of Diversion: **Govt Lot** ID **Qtr Sec Rge** County Sec Twp 35 SE 10 12N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 20W MISSOULA 36 NW 11 12N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 37 W2E2 15 12N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 38 E2SW 15 12N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 39 NE 22 12N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 40 SWSE 23 12N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM W2 20W MISSOULA 41 23 12N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 42 W2 25 12N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 43 N2NE 26 12N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **INSTREAM Diversion Means:** W2W2 36 12N 20W MISSOULA 44 Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 45 W2SW 31 13N 19W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** W2 20W MISSOULA 46 26 13N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 47 20W MISSOULA E2 27 13N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means: INSTREAM** 48 NW 27 13N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 49 E2 20W MISSOULA 34 13N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM

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\*Point of Diversion and Means of Diversion: <u>Twp</u> ID **Govt Lot** Qtr Sec **Rge** County Sec 50 35 20W MISSOULA S2 13N Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 51 S2SWNE 36 13N 20W MISSOULA Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM 52 S2 13N 20W MISSOULA 36 Period of Diversion: MAY 1 TO JUNE 30 **Diversion Means:** INSTREAM THIS RIGHT FOR RECREATION USE APPLIES FROM STEVENSVILLE IN RAVALLI COUNTY DOWNSTREAM TO THE CONFLUENCE WITH THE CLARK FORK RIVER IN MISSOULA COUNTY. MAY 1 TO JUNE 30 Period of Use:

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1				3	9N	20W	RAVALLI
2			W2E2	10	9N	20W	RAVALLI
3			E2W2	10	9N	20W	RAVALLI
4				15	9N	20W	RAVALLI
5			W2	22	9N	20W	RAVALLI
6			SWNW	19	10N	19W	RAVALLI
7			W2E2	1	10N	20W	RAVALLI
8			W2E2	12	10N	20W	RAVALLI
9			SESE	12	10N	20W	RAVALLI
10			E2	13	10N	20W	RAVALLI
11			E2E2NW	13	10N	20W	RAVALLI
12			E2	24	10N	20W	RAVALLI
13			W2E2	25	10N	20W	RAVALLI
14			S2SW	25	10N	20W	RAVALLI
15			SESE	34	10N	20W	RAVALLI
16			E2	35	10N	20W	RAVALLI
17			SW	35	10N	20W	RAVALLI
18			N2	36	10N	20W	RAVALLI
19			SWSW	7	11N	19W	MISSOULA
20			NWNW	18	11N	19W	MISSOULA
21			SW	19	11N	19W	MISSOULA
22			W2	30	11N	19W	MISSOULA
23			W2	31	11N	19W	MISSOULA
24			SWSE	1	11N	20W	MISSOULA
25			W2	1	11N	20W	MISSOULA
26			E2	12	11N	20W	MISSOULA
27			E2E2	13	11N	20W	MISSOULA
28			E2	24	11N	20W	MISSOULA

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ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
29			E2E2SE	25	11N	20W	MISSOULA
30			SE	36	11N	20W	MISSOULA
31			W2NE	1	12N	20W	MISSOULA
32			W2	1	12N	20W	MISSOULA
33			S2	2	12N	20W	MISSOULA
34			SENE	10	12N	20W	MISSOULA
35			SE	10	12N	20W	MISSOULA
36			NW	11	12N	20W	MISSOULA
37			W2E2	15	12N	20W	MISSOULA
38			E2SW	15	12N	20W	MISSOULA
39			NE	22	12N	20W	MISSOULA
40			SWSE	23	12N	20W	MISSOULA
41			W2	23	12N	20W	MISSOULA
42			W2	25	12N	20W	MISSOULA
43			N2NE	26	12N	20W	MISSOULA
44			W2W2	36	12N	20W	MISSOULA
45			W2SW	31	13N	19W	MISSOULA
46			W2	26	13N	20W	MISSOULA
47			E2	27	13N	20W	MISSOULA
48			NW	27	13N	20W	MISSOULA
49			E2	34	13N	20W	MISSOULA
50			S2	35	13N	20W	MISSOULA
51			S2SWNE	36	13N	20W	MISSOULA
52			S2	36	13N	20W	MISSOULA

#### **Remarks:**

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

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

A GUIDELINE FOR THE FLOW RATE AND VOLUME OF THIS CLAIM CANNOT BE DETERMINED FROM AVAILABLE INFORMATION, AND FLOW RATE AND VOLUME REMAIN AS ORIGINALLY CLAIMED. THE CLAIMED FLOW RATE AND VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE FLOW RATE AND VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:		- ORIGINAL		Т	AIM		
Owners:	MONTANA, ST PO BOX 2007 HELENA, MT {	01	PT OI	F FISH	WILDL	IFE & PARKS	
Priority Date:	JULY 1, 1970						
Type of Historical Right	: USE						
Purpose(use): Flow Rate:	RECREATION 600.00 CFS						
Volume:	109,462.00 AC THE USE OF <sup>-</sup>		r apf	EARS	ТО ВЕ	LARGELY NONCONSUMPTIVE.	
Source Name:	BITTERROOT	RIVER					
Source Type:	SURFAC	E WATER					
*Point of Diversion and Means of Diversion:							
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 3	<u>Twp</u> 9N		<u>County</u> RAVALLI	
Period of Diversion Diversion Means:	INSTREAM	PTEMBER	30				
2 Period of Diversion Diversion Means:	I: JULY 1 TO SE INSTREAM	W2E2 PTEMBER :	10 30	9N	20W	RAVALLI	
3		E2W2	10	9N	20W	RAVALLI	
Period of Diversion Diversion Means:	INSTREAM	PTEMBER (	30				
4 Period of Diversion Diversion Means:	: JULY 1 TO SE INSTREAM	W2 PTEMBER 3	15 30	9N	20W	RAVALLI	

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\*Point of Diversion and Means of Diversion: **Govt Lot Otr Sec** ID **Rge** County Sec Twp 5 W2 22 9N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 6 SWNW 19 10N 19W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 7 W2E2 10N 20W RAVALLI 1 Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 20W RAVALLI 8 W2E2 12 10N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 9 SESE 12 10N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM E2 13 10N 20W RAVALLI 10 Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM E2E2NW 20W RAVALLI 11 13 10N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 12 E2 24 10N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 13 W2E2 25 10N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **INSTREAM Diversion Means:** 14 S2SW 25 10N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 15 SESE 34 10N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 20W RAVALLI 16 E2 35 10N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 17 SW 20W RAVALLI 35 10N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 18 N2 36 10N 20W RAVALLI Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 19 SWSW 19W MISSOULA 7 11N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM

DECEMBER 4, 2015 76H 151312-00 Page 3 of 7

\*Point of Diversion and Means of Diversion: **Govt Lot** ID Qtr Sec County Sec Twp Rge 20 NWNW 18 11N 19W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 19W MISSOULA 21 SW 19 11N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 22 W2 30 11N 19W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 23 W2 31 11N 19W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 24 SWSE 20W MISSOULA 1 11N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM W2 20W MISSOULA 25 1 11N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 20W MISSOULA 26 E2 12 11N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 27 E2E2 13 11N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 28 E2 24 11N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 29 E2E2SE 25 11N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM SE 30 36 11N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** W2NE 12N 20W MISSOULA 31 1 Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 32 W2 20W MISSOULA 1 12N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 33 S2 2 12N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 34 SENE 20W MISSOULA 10 12N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM

DECEMBER 4, 2015 76H 151312-00 Page 4 of 7

\*Point of Diversion and Means of Diversion: ID **Govt Lot Otr Sec** County Sec Twp Rge 35 SE 10 12N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 20W MISSOULA 36 NW 11 12N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 37 W2E2 15 12N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 38 E2SW 15 12N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 39 NE 22 12N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 40 SWSE 23 12N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 20W MISSOULA 41 W2 23 12N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 42 W2 25 12N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 43 N2NE 26 12N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **INSTREAM Diversion Means:** W2W2 36 12N 20W MISSOULA 44 Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 45 W2SW 31 13N 19W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** W2 20W MISSOULA 46 26 13N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 47 20W MISSOULA E2 27 13N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means: INSTREAM** 48 NW 27 13N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 49 20W MISSOULA E2 34 13N Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM

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\*Point of Diversion and Means of Diversion: <u>Twp</u> ID **Govt Lot** Qtr Sec **Rge** County Sec 50 S2 35 13N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM 51 S2SWNE 36 13N 20W MISSOULA Period of Diversion: JULY 1 TO SEPTEMBER 30 **Diversion Means:** INSTREAM S2 13N 20W MISSOULA 52 36 Period of Diversion: JULY 1 TO SEPTEMBER 30 INSTREAM **Diversion Means:** THIS RIGHT FOR RECREATION USE APPLIES FROM STEVENSVILLE IN RAVALLI COUNTY DOWNSTREAM TO THE CONFLUENCE WITH THE CLARK FORK RIVER IN MISSOULA COUNTY. JULY 1 TO SEPTEMBER 30 Period of Use:

\*Place of Use:

I face of Osc.							
ĪD	<u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1				3	9N	20W	RAVALLI
2			W2E2	10	9N	20W	RAVALLI
3			E2W2	10	9N	20W	RAVALLI
4				15	9N	20W	RAVALLI
5			W2	22	9N	20W	RAVALLI
6			SWNW	19	10N	19W	RAVALLI
7			W2E2	1	10N	20W	RAVALLI
8			W2E2	12	10N	20W	RAVALLI
9			SESE	12	10N	20W	RAVALLI
10			E2	13	10N	20W	RAVALLI
11			E2E2NW	13	10N	20W	RAVALLI
12			E2	24	10N	20W	RAVALLI
13			W2E2	25	10N	20W	RAVALLI
14			S2SW	25	10N	20W	RAVALLI
15			SESE	34	10N	20W	RAVALLI
16			E2	35	10N	20W	RAVALLI
17			SW	35	10N	20W	RAVALLI
18			N2	36	10N	20W	RAVALLI
19			SWSW	7	11N	19W	MISSOULA
20			NWNW	18	11N	19W	MISSOULA
21			SW	19	11N	19W	MISSOULA
22			W2	30	11N	19W	MISSOULA
23			W2	31	11N	19W	MISSOULA
24			SWSE	1	11N	20W	MISSOULA
25			W2	1	11N	20W	MISSOULA
26			E2	12	11N	20W	MISSOULA
27			E2E2	13	11N	20W	MISSOULA
28			E2	24	11N	20W	MISSOULA

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<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
29			E2E2SE	25	11N	20W	MISSOULA
30			SE	36	11N	20W	MISSOULA
31			W2NE	1	12N	20W	MISSOULA
32			W2	1	12N	20W	MISSOULA
33			S2	2	12N	20W	MISSOULA
34			SENE	10	12N	20W	MISSOULA
35			SE	10	12N	20W	MISSOULA
36			NW	11	12N	20W	MISSOULA
37			W2E2	15	12N	20W	MISSOULA
38			E2SW	15	12N	20W	MISSOULA
39			NE	22	12N	20W	MISSOULA
40			SWSE	23	12N	20W	MISSOULA
41			W2	23	12N	20W	MISSOULA
42			W2	25	12N	20W	MISSOULA
43			N2NE	26	12N	20W	MISSOULA
44			W2W2	36	12N	20W	MISSOULA
45			W2SW	31	13N	19W	MISSOULA
46			W2	26	13N	20W	MISSOULA
47			E2	27	13N	20W	MISSOULA
48			NW	27	13N	20W	MISSOULA
49			E2	34	13N	20W	MISSOULA
50			S2	35	13N	20W	MISSOULA
51			S2SWNE	36	13N	20W	MISSOULA
52			S2	36	13N	20W	MISSOULA

#### **Remarks:**

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

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

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# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151313-00 Version: 1 ( State	STATEI DRIGINAL ls: A		Т	AIM	
Owners:	MONTANA, STA PO BOX 200701 HELENA, MT 59		PT OI	F FISH	WILDL	IFE & PARKS
Priority Date:	JULY 1, 1970					
Type of Historical Right	: USE					
Purpose(use): Flow Rate:	RECREATION 900.00 CFS					
Volume:	378,356.00 AC-F					LARGELY NONCONSUMPTIVE.
*Source Name: Source Type:	BITTERROOT R SURFACE	IVER		CARS	TO BE	LARGELT NONCONSUMPTIVE.
*Point of Diversion and I	<b>Means of Diversion</b>	:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 3	<u>Twp</u> 9N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: OCTOBER 1 TO INSTREAM	) APRIL 30	)			
2 Period of Diversion Diversion Means:	: OCTOBER 1 TC INSTREAM	W2E2 APRIL 30	10 )	9N	20W	RAVALLI
3 Period of Diversion Diversion Means:	: OCTOBER 1 TC INSTREAM	E2W2 APRIL 30	10 )	9N	20W	RAVALLI
4 Period of Diversion Diversion Means:	: OCTOBER 1 TC INSTREAM	W2 APRIL 30	15 )	9N	20W	RAVALLI

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\*Point of Diversion and Means of Diversion: **Govt Lot** ID **Qtr Sec** Sec Twp Rge County 5 W2 22 9N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 6 SWNW 19 10N 19W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 7 W2E2 10N 20W RAVALLI 1 Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 8 W2E2 12 10N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 9 SESE 12 10N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** E2 13 10N 20W RAVALLI 10 Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** E2E2NW 11 13 10N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 12 E2 24 10N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 13 W2E2 25 10N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 14 S2SW 25 10N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 15 SESE 34 10N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 20W RAVALLI 16 E2 35 10N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 17 20W RAVALLI SW 35 10N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 18 N2 36 10N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 19 SWSW 19W MISSOULA 7 11N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM

DECEMBER 4, 2015 76H 151313-00 Page 3 of 7

\*Point of Diversion and Means of Diversion: **Govt Lot** ID **Qtr Sec** Sec Twp Rge County 20 NWNW 18 11N 19W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 19W MISSOULA 21 SW 19 11N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 22 W2 30 11N 19W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **INSTREAM Diversion Means:** 23 W2 31 11N 19W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 24 SWSE 20W MISSOULA 1 11N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** W2 20W MISSOULA 25 1 11N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 20W MISSOULA 26 E2 12 11N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** E2E2 27 13 11N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 28 E2 24 11N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 29 E2E2SE 25 11N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM SE 30 36 11N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** W2NE 12N 20W MISSOULA 31 1 Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 32 W2 20W MISSOULA 1 12N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 33 S2 2 12N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 34 20W MISSOULA SENE 10 12N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM

DECEMBER 4, 2015 76H 151313-00 Page 4 of 7

\*Point of Diversion and Means of Diversion: ID Govt Lot **Otr Sec** Sec Twp Rge County 35 SE 10 12N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 20W MISSOULA 36 NW 11 12N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 37 W2E2 15 12N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **INSTREAM Diversion Means:** 38 E2SW 15 12N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 39 NE 22 12N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 40 SWSE 23 12N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 20W MISSOULA 41 W2 23 12N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 42 W2 25 12N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 43 N2NE 26 12N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM W2W2 36 12N 20W MISSOULA 44 Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 45 W2SW 31 13N 19W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 20W MISSOULA 46 W2 26 13N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 47 20W MISSOULA E2 27 13N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 48 NW 27 13N 20W MISSOULA Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 49 20W MISSOULA E2 34 13N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM

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\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
50		S2	35	13N	20W	MISSOULA
<b>Period of Diversion</b>	: OCTOBER 1 T	O APRIL 30	)			
<b>Diversion Means:</b>	INSTREAM					
51		S2SWNE	36	13N	20W	MISSOULA
<b>Period of Diversion</b>	: OCTOBER 1 T	O APRIL 30	)			
<b>Diversion Means:</b>	INSTREAM					
52		S2	36	13N	20W	MISSOULA
<b>Period of Diversion</b>	: OCTOBER 1 T	O APRIL 30	)			
<b>Diversion Means:</b>	INSTREAM					
		/NSTREAM				ES FROM STEVENSVILLE IN RAVALLI INCE WITH THE CLARK FORK RIVER
Period of Use:	OCTOBER 1 TO	O APRIL 30				

\*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1				3	9N	20W	RAVALLI
2			W2E2	10	9N	20W	RAVALLI
3			E2W2	10	9N	20W	RAVALLI
4				15	9N	20W	RAVALLI
5			W2	22	9N	20W	RAVALLI
6			SWNW	19	10N	19W	RAVALLI
7			W2E2	1	10N	20W	RAVALLI
8			W2E2	12	10N	20W	RAVALLI
9			SESE	12	10N	20W	RAVALLI
10			E2	13	10N	20W	RAVALLI
11			E2E2NW	13	10N	20W	RAVALLI
12			E2	24	10N	20W	RAVALLI
13			W2E2	25	10N	20W	RAVALLI
14			S2SW	25	10N	20W	RAVALLI
15			SESE	34	10N	20W	RAVALLI
16			E2	35	10N	20W	RAVALLI
17			SW	35	10N	20W	RAVALLI
18			N2	36	10N	20W	RAVALLI
19			SWSW	7	11N	19W	MISSOULA
20			NWNW	18	11N	19W	MISSOULA
21			SW	19	11N	19W	MISSOULA
22			W2	30	11N	19W	MISSOULA
23			W2	31	11N	19W	MISSOULA
24			SWSE	1	11N	20W	MISSOULA
25			W2	1	11N	20W	MISSOULA
26			E2	12	11N	20W	MISSOULA
27			E2E2	13	11N	20W	MISSOULA
28			E2	24	11N	20W	MISSOULA

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ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
29			E2E2SE	25	11N	20W	MISSOULA
30			SE	36	11N	20W	MISSOULA
31			W2NE	1	12N	20W	MISSOULA
32			W2	1	12N	20W	MISSOULA
33			S2	2	12N	20W	MISSOULA
34			SENE	10	12N	20W	MISSOULA
35			SE	10	12N	20W	MISSOULA
36			NW	11	12N	20W	MISSOULA
37			W2E2	15	12N	20W	MISSOULA
38			E2SW	15	12N	20W	MISSOULA
39			NE	22	12N	20W	MISSOULA
40			SWSE	23	12N	20W	MISSOULA
41			W2	23	12N	20W	MISSOULA
42			W2	25	12N	20W	MISSOULA
43			N2NE	26	12N	20W	MISSOULA
44			W2W2	36	12N	20W	MISSOULA
45			W2SW	31	13N	19W	MISSOULA
46			W2	26	13N	20W	MISSOULA
47			E2	27	13N	20W	MISSOULA
48			NW	27	13N	20W	MISSOULA
49			E2	34	13N	20W	MISSOULA
50			S2	35	13N	20W	MISSOULA
51			S2SWNE	36	13N	20W	MISSOULA
52			S2	36	13N	20W	MISSOULA

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

A GUIDELINE FOR THE FLOW RATE AND VOLUME OF THIS CLAIM CANNOT BE DETERMINED FROM AVAILABLE INFORMATION, AND FLOW RATE AND VOLUME REMAIN AS ORIGINALLY CLAIMED. THE CLAIMED FLOW RATE AND VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE FLOW RATE AND VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151314-00 Version: 1 Stat	ORIGINAL		Т	AIM	
Owners:	MONTANA, STA PO BOX 20070 HELENA, MT 59	1	PT OI	F FISH	WILDL	IFE & PARKS
Priority Date:	JULY 1, 1970					
Type of Historical Right	: USE					
Purpose(use): Flow Rate:	RECREATION 350.00 CFS					
Volume:	147,139.00 AC- THE USE OF TH		R APF	PEARS	TO BE	LARGELY NONCONSUMPTIVE.
*Source Name:	BITTERROOT F					
Source Type:	SURFACE	WATER				
*Point of Diversion and I	Aeans of Diversion	ı:				
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u> 6	<u>Twp</u> 2N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: OCTOBER 1 TO INSTREAM	D APRIL 30	)			
2 Period of Diversion Diversion Means:	: OCTOBER 1 TO INSTREAM	E2 D APRIL 30	7	2N	20W	RAVALLI
3 Period of Diversion Diversion Means:	: OCTOBER 1 TO INSTREAM	E2E2 D APRIL 30	1	2N	21W	RAVALLI
4 Period of Diversion Diversion Means:		W2E2 D APRIL 30	2	3N	21W	RAVALLI

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 5	Govt Lot	Qtr Sec E2W2	<u>Sec</u> 2	<u>Twp</u> 3N		<u>County</u> RAVALLI
Period of Diversion:	OCTOBER 1		2		2100	
<b>Diversion Means:</b>	INSTREAM					
6		W2E2	11	3N	21W	RAVALLI
Period of Diversion:		TO APRIL 30				
	INSTREAM	50140			04144	
7 Derich (Diereciere		E2W2	11	3N	2100	RAVALLI
Period of Diversion: Diversion Means:		TO APRIL 30				
8	INGTREAM	NE	14	3N	21\\/	RAVALLI
Period of Diversion:	OCTOBER 1		14		2100	
Diversion Means:						
9		E2SE	14	3N	21W	RAVALLI
Period of Diversion:	OCTOBER 1	TO APRIL 30				
<b>Diversion Means:</b>	INSTREAM					
10		E2	23	3N	21W	RAVALLI
Period of Diversion:	OCTOBER 1	TO APRIL 30				
<b>Diversion Means:</b>	INSTREAM					
11		E2SESW	23	3N	21W	RAVALLI
Period of Diversion:		TO APRIL 30				
Diversion Means:	INSTREAM	14/0	~-		0 <b>1</b> 1 1	
12 Devial of Discussion		W2	25	3N	2100	RAVALLI
Period of Diversion: Diversion Means:		TO APRIL 30				
13	INSTILLAM	N2NE	26	3N	21\\/	RAVALLI
Period of Diversion:	OCTOBER 1		20		2100	
Diversion Means:	INSTREAM					
14		E2	36	3N	21W	RAVALLI
Period of Diversion:	OCTOBER 1	TO APRIL 30				
<b>Diversion Means:</b>	INSTREAM					
15		N2	36	3N	21W	RAVALLI
Period of Diversion:		TO APRIL 30				
	INSTREAM					
16	0070050 (	N2	2	4N	21W	RAVALLI
Period of Diversion:		TO APRIL 30				
Diversion Means: 17	INSTREAM	SW	2	4NI	21\//	RAVALLI
Period of Diversion:	OCTOBER 1		2	411	2100	NAVALLI
Diversion Means:						
18		W2SE	11	4N	21W	RAVALLI
Period of Diversion:	OCTOBER 1					
<b>Diversion Means:</b>	INSTREAM					
19		W2	11	4N	21W	RAVALLI
Period of Diversion:	OCTOBER 1	TO APRIL 30				
<b>Diversion Means:</b>	INSTREAM					

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\*Point of Diversion and Means of Diversion: **Govt Lot** ID Qtr Sec Twp **Rge** County Sec 20 21W RAVALLI N2N2 14 4N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 21 21W RAVALLI E2 15 4N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 22 NENE 22 4N 21W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 23 23 4N 21W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 24 E2 26 21W RAVALLI 4N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 25 W2E2 35 4N 21W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** E2W2 21W RAVALLI 26 35 4N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 27 E2 25 5N 21W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 21W RAVALLI 28 W2E2 36 5N Period of Diversion: OCTOBER 1 TO APRIL 30 **INSTREAM Diversion Means:** 21W RAVALLI 29 E2W2 36 5N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** THIS RIGHT FOR RECREATION USE APPLIES FROM THE CONFLUENCE OF THE EAST AND WEST FORKS OF THE BITTERROOT RIVER IN RAVALLI COUNTY DOWNSTREAM TO SLEEPING CHILD CREEK IN RAVALLI COUNTY.

Period of Use: OCTOBER 1 TO APRIL 30

\*Place of Use:

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1				6	2N	20W RAVALLI
2			E2	7	2N	20W RAVALLI
3			E2E2	1	2N	21W RAVALLI
4			W2E2	2	3N	21W RAVALLI
5			E2W2	2	3N	21W RAVALLI
6			W2E2	11	3N	21W RAVALLI
7			E2W2	11	3N	21W RAVALLI
8			NE	14	3N	21W RAVALLI
9			E2SE	14	3N	21W RAVALLI

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· Flace of Use:	*Place of Use:
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ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> Count	t <u>y</u>
10			E2	23	3N	21W RAVA	LLI
11			E2SESW	23	3N	21W RAVA	LLI
12			W2	25	3N	21W RAVA	LLI
13			N2NE	26	3N	21W RAVA	LLI
14			E2	36	3N	21W RAVA	LLI
15			N2	36	3N	21W RAVA	LLI
16			N2	2	4N	21W RAVA	LLI
17			SW	2	4N	21W RAVA	LLI
18			W2SE	11	4N	21W RAVA	LLI
19			W2	11	4N	21W RAVA	LLI
20			N2N2	14	4N	21W RAVA	LLI
21			E2	15	4N	21W RAVA	LLI
22			NENE	22	4N	21W RAVA	LLI
23				23	4N	21W RAVA	LLI
24			E2	26	4N	21W RAVA	LLI
25			W2E2	35	4N	21W RAVA	LLI
26			E2W2	35	4N	21W RAVA	LLI
27			E2	25	5N	21W RAVA	LLI
28			W2E2	36	5N	21W RAVA	LLI
29			E2W2	36	5N	21W RAVA	LLI

#### **Remarks:**

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

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# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 15131 Version:	1 ORIGINAL	RIGH	Т	AIM	
Owners:	PO BOX 20	, STATE OF DE	CTIVE EPT OI		WILDL	IFE & PARKS
Priority Date:	JULY 1, 19	70				
Type of Historical Right	: USE					
Purpose(use): Flow Rate: Volume:	RECREAT 3,000.00 C 356,940.00	FS AC-FT				
*Source Name: Source Type:	BITTERRC		R APF	PEARS	TO BE	LARGELY NONCONSUMPTIVE.
*Point of Diversion and M	Aeans of Dive	ersion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 6	<u>Twp</u> 2N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO INSTREAM					
2 Period of Diversion	: MAY 1 TO	E2 JUNE 30	7	2N	20W	RAVALLI
Diversion Means: 3	INSTREAM	M E2E2	1	2N	21W	RAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO INSTREAM					
4 Period of Diversion Diversion Means:	: MAY 1 TO INSTREAM		2	3N	21W	RAVALLI

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Period of Diversion: Diversion Means:	INSTREAM MAY 1 TO JUN		2	3N	21W	RAVAL
Diversion Means: 6 Period of Diversion: Diversion Means:	INSTREAM MAY 1 TO JUN					
6 Period of Diversion: Diversion Means:	MAY 1 TO JUN					
<b>Diversion Means:</b>		W2E2	11	3N	21W	RAVAL
<b>Diversion Means:</b>		F 30				
	INSTREAM					
		E2W2	11	3N	21\//	RAVAI
Period of Diversion:					2100	
Diversion Means:		L 30				
	INSTREAM				04144	
8		NE	14	3N	2100	RAVAL
Period of Diversion:		E 30				
<b>Diversion Means:</b>	INSTREAM					
9		E2SE	14	ЗN	21W	RAVAL
Period of Diversion:	MAY 1 TO JUN	E 30				
<b>Diversion Means:</b>	INSTREAM					
10		E2	23	ЗN	21W	RAVAL
Period of Diversion:	MAY 1 TO JUN	E 30				
<b>Diversion Means:</b>	INSTREAM					
11		E2SESW	23	3N	21W	RAVAI
Period of Diversion:	MAY 1 TO JUN		20	0.1		
	INSTREAM	L 00				
12		W2	25	3N	24\\/	RAVAI
			25	SIN	2100	RAVAL
Period of Diversion:		E 30				
	INSTREAM		~ ~		<b>•</b> • • • •	<b>-</b>
13		N2NE	26	3N	2100	RAVAL
Period of Diversion:		E 30				
<b>Diversion Means:</b>	INSTREAM					
14		E2	36	ЗN	21W	RAVAL
Period of Diversion:	MAY 1 TO JUN	E 30				
<b>Diversion Means:</b>	INSTREAM					
15		N2	36	ЗN	21W	RAVAL
Period of Diversion:	MAY 1 TO JUN	E 30				
<b>Diversion Means:</b>	INSTREAM					
16		N2	2	4N	21W	RAVAL
Period of Diversion:	MAY 1 TO JUN		_			
Diversion Means:	INSTREAM	L 00				
17		C14/	2	4 N	24147	RAVAI
		SW	2	411	2100	RAVAL
Period of Diversion:		⊑ 3U				
	INSTREAM					
18		W2SE	11	4N	21W	RAVAL
Period of Diversion:	MAY 1 TO JUN	E 30				
<b>Diversion Means:</b>	INSTREAM					
19		W2	11	4N	21W	RAVAL
Period of Diversion:	MAY 1 TO JUN	E 30				

DECEMBER 4, 2015 76H 151315-00 Page 3 of 5

*Point of Diversion and M	leans of Diversion:					
<u>ID</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>		County
20		N2N2	14	4N	21W	RAVALLI
Period of Diversion:		30				
Diversion Means:	INSTREAM	БО	45	451	04144	
21 Period of Diversion:		E2	15	4N	2100	RAVALLI
Diversion Means:	INSTREAM	30				
22	INGTREAM	NENE	22	4N	21\//	RAVALLI
Period of Diversion:	MAY 1 TO JUNE		22		2100	
Diversion Means:	INSTREAM	00				
23	-		23	4N	21W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
24		E2	26	4N	21W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
25		W2E2	35	4N	21W	RAVALLI
Period of Diversion:		30				
Diversion Means:	INSTREAM					
26		E2W2	35	4N	21W	RAVALLI
Period of Diversion:		30				
Diversion Means:	INSTREAM	Гa	25	ENI	2414/	
27 Period of Diversion:		E2	25	5N	2100	RAVALLI
Diversion Means:	INSTREAM	30				
28		W2E2	36	5N	21W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE		00	0.11		
Diversion Means:	INSTREAM					
29		E2W2	36	5N	21W	RAVALLI
Period of Diversion:	MAY 1 TO JUNE	30				
<b>Diversion Means:</b>	INSTREAM					
	EAST AND WEST	T FORKS	OF T	HE BIT	TERRO	ES FROM THE CONFLUENCE OF THE DOT RIVER IN RAVALLI COUNTY K IN RAVALLI COUNTY.

Period of Use: MAY 1 TO JUNE 30

\*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1				6	2N	20W RAVALLI
2			E2	7	2N	20W RAVALLI
3			E2E2	1	2N	21W RAVALLI
4			W2E2	2	3N	21W RAVALLI
5			E2W2	2	3N	21W RAVALLI
6			W2E2	11	3N	21W RAVALLI
7			E2W2	11	3N	21W RAVALLI
8			NE	14	3N	21W RAVALLI
9			E2SE	14	3N	21W RAVALLI

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*Place	of	Use:
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<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
10			E2	23	3N	21W RAVALLI
11			E2SESW	23	3N	21W RAVALLI
12			W2	25	3N	21W RAVALLI
13			N2NE	26	3N	21W RAVALLI
14			E2	36	3N	21W RAVALLI
15			N2	36	3N	21W RAVALLI
16			N2	2	4N	21W RAVALLI
17			SW	2	4N	21W RAVALLI
18			W2SE	11	4N	21W RAVALLI
19			W2	11	4N	21W RAVALLI
20			N2N2	14	4N	21W RAVALLI
21			E2	15	4N	21W RAVALLI
22			NENE	22	4N	21W RAVALLI
23				23	4N	21W RAVALLI
24			E2	26	4N	21W RAVALLI
25			W2E2	35	4N	21W RAVALLI
26			E2W2	35	4N	21W RAVALLI
27			E2	25	5N	21W RAVALLI
28			W2E2	36	5N	21W RAVALLI
29			E2W2	36	5N	21W RAVALLI

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

A GUIDELINE FOR THE FLOW RATE AND VOLUME OF THIS CLAIM CANNOT BE DETERMINED FROM AVAILABLE INFORMATION, AND FLOW RATE AND VOLUME REMAIN AS ORIGINALLY CLAIMED. THE CLAIMED FLOW RATE AND VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE FLOW RATE AND VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151316-00 Version: 1 ( Stat	ORIGINAL		т	AIM	
Owners:	MONTANA, STA PO BOX 200701 HELENA, MT 59		PT OI	FISH	WILDL	IFE & PARKS
Priority Date:	JULY 1, 1970					
Type of Historical Right	: USE					
Purpose(use):	RECREATION					
Flow Rate:	500.00 CFS					
Volume:	210,198.00 AC-I	-T				
	THE USE OF TH	IS WATE	R APP	PEARS	TO BE	LARGELY NONCONSUMPTIVE.
Source Name:	BITTERROOT F	RIVER				
Source Type:	SURFACE	WATER				
*Point of Diversion and N	Means of Diversion	:				
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> W2	<u>Sec</u> 1	<u>Twp</u> 5N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: OCTOBER 1 TO INSTREAM	) APRIL 30	)			
2		E2W2	12	5N	21W	RAVALLI
Period of Diversion Diversion Means:	: OCTOBER 1 TO INSTREAM	DAPRIL 30	)			
3		W2	13	5N	21W	RAVALLI
Period of Diversion Diversion Means:	: OCTOBER 1 TO INSTREAM	DAPRIL 30	)			
4		N2	24	5N	21W	RAVALLI
Period of Diversion Diversion Means:	: OCTOBER 1 TO INSTREAM	) APRIL 30	)			

DECEMBER 4, 2015 76H 151316-00 Page 2 of 6

\*Point of Diversion and Means of Diversion: **Govt Lot** ID **Qtr Sec** Sec Twp <u>Rge</u> <u>County</u> 5 W2SE 24 5N 21W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 21W RAVALLI 6 NW 25 5N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 7 W2 6 6N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** NWNW 20W RAVALLI 8 7 6N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 9 W2W2 7 20W RAVALLI 6N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** E2E2 12 21W RAVALLI 10 6N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 21W RAVALLI 11 E2 13 6N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 12 W2NE 24 6N 21W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 13 SENW 24 6N 21W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 14 SW 24 6N 21W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 15 W2 25 6N 21W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 21W RAVALLI 16 E2 26 6N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 17 21W RAVALLI NE 35 6N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 18 W2W2SE 36 6N 21W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 19 W2 21W RAVALLI 36 6N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM

DECEMBER 4, 2015 76H 151316-00 Page 3 of 6

\*Point of Diversion and Means of Diversion: **Govt Lot** <u>Twp</u> ID **Qtr Sec** Sec Rge County 20 E2 5 7N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 20W RAVALLI 21 E2E2SE 6 7N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 22 E2 7 7N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 20W RAVALLI 23 8 7N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 24 W2W2 17 20W RAVALLI 7N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** E2 18 7N 20W RAVALLI 25 Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 20W RAVALLI 26 NE 19 7N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 27 SE 19 7N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 28 W2 20 7N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 29 W2SWNW 29 7N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 30 E2 30 7N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 20W RAVALLI 31 E2W2 30 7N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 32 NWNE 7N 20W RAVALLI 31 Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 33 W2 31 7N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 34 20W RAVALLI 4 8N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM

DECEMBER 4, 2015 76H 151316-00 Page 4 of 6

\*Point of Diversion and Means of Diversion: T<u>wp</u> **Govt Lot** ID **Qtr Sec Rge** County Sec 35 RAVALLI E2 8 8N 20W Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 20W RAVALLI 36 N2NW 9 8N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 37 E2 17 8N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 38 W2E2 20 8N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 39 W2 20 20W RAVALLI 8N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 40 29 20W RAVALLI 8N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** E2E2 20W RAVALLI 41 30 8N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 42 32 8N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 43 E2SE 21 9N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 INSTREAM **Diversion Means:** 44 W2SW 22 9N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** 45 W2 27 9N 20W RAVALLI Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** E2NE 28 20W RAVALLI 46 9N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means:** INSTREAM 47 20W RAVALLI W2 34 9N Period of Diversion: OCTOBER 1 TO APRIL 30 **Diversion Means: INSTREAM** THIS RIGHT FOR RECREATION USE APPLIES FROM SLEEPING CHILD CREEK IN RAVALLI COUNTY DOWNSTREAM TO STEVENSVILLE IN RAVALLI COUNTY. OCTOBER 1 TO APRIL 30 **Period of Use:** 

DECEMBER 4, 2015 76H 151316-00 Page 5 of 6

\*Place of Use:

ID 1	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u> 1	<u>Twp</u> 5N	<u>Rge</u> 21W	<u>County</u> RAVALLI
2			E2W2	12	5N	21W	RAVALLI
3			W2	13	5N	21W	RAVALLI
4			N2	24	5N	21W	RAVALLI
5			W2SE	24	5N	21W	RAVALLI
6			NW	25	5N	21W	RAVALLI
7			W2	6	6N	20W	RAVALLI
8			NWNW	7	6N	20W	RAVALLI
9			W2W2	7	6N	20W	RAVALLI
10			E2E2	12	6N	21W	RAVALLI
11			E2	13	6N	21W	RAVALLI
12			W2NE	24	6N	21W	RAVALLI
13			SENW	24	6N	21W	RAVALLI
14			SW	24	6N	21W	RAVALLI
15			W2	25	6N	21W	RAVALLI
16			E2	26	6N	21W	RAVALLI
17			NE	35	6N	21W	RAVALLI
18			W2W2SE	36	6N	21W	RAVALLI
19			W2	36	6N	21W	RAVALLI
20				5	7N	20W	RAVALLI
21			E2E2SE	6	7N	20W	RAVALLI
22			E2	7	7N	20W	RAVALLI
23				8	7N	20W	RAVALLI
24			W2W2	17	7N	20W	RAVALLI
25			E2	18	7N	20W	RAVALLI
26			NE	19	7N	20W	RAVALLI
27			SE	19	7N	20W	RAVALLI
28			W2	20	7N	20W	RAVALLI
29			W2SWNW	29	7N	20W	RAVALLI
30			E2	30	7N	20W	RAVALLI
31			E2W2	30	7N	20W	RAVALLI
32			NWNE	31	7N	20W	RAVALLI
33			W2	31	7N	20W	RAVALLI
34				4	8N	20W	RAVALLI
35			E2	8	8N	20W	RAVALLI
36			N2NW	9	8N	20W	RAVALLI
37			E2	17	8N	20W	RAVALLI
38			W2E2	20	8N	20W	RAVALLI
39			W2	20	8N	20W	RAVALLI
40				29	8N	20W	RAVALLI
41			E2E2	30	8N	20W	RAVALLI
42				32	8N	20W	RAVALLI
43			E2SE	21	9N	20W	RAVALLI

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
44			W2SW	22	9N	20W	RAVALLI
45			W2	27	9N	20W	RAVALLI
46			E2NE	28	9N	20W	RAVALLI
47			W2	34	9N	20W	RAVALLI

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

A GUIDELINE FOR THE FLOW RATE AND VOLUME OF THIS CLAIM CANNOT BE DETERMINED FROM AVAILABLE INFORMATION, AND FLOW RATE AND VOLUME REMAIN AS ORIGINALLY CLAIMED. THE CLAIMED FLOW RATE AND VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE FLOW RATE AND VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151317-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CINDY ROBINSON 1029 OLD CORVALLIS RD CORVALLIS, MT 59828
	LYLE MIKESELL PO BOX 845 CORVALLIS, MT 59828 0845
	JAMES A NILLES 1029 OLD CORVALLIS RD CORVALLIS, MT 59828
	KIM MIKESELL PO BOX 845 CORVALLIS, MT 59828 0845
	SALLY S LOTT 1025 OLD CORVALLIS RD CORVALLIS, MT 59828 9447
	R KEVIN LOTT 1025 OLD CORVALLIS RD CORVALLIS, MT 59828 9447 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JUNE 1, 1899
Type of Historical Right:	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	330.00 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

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#### Climatic Area: 2 - MODERATELY HIGH

Maximum Acres:15.00Source Name:UNNAMED TRIBUTARY OF BITTERROOT RIVERSource Type:SURFACE WATER

**Point of Diversion and Means of Diversion:** 

ID		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge County
1			SESENE	6	6N	20W RAVALLI
Perio	d of Diversion	: MAY 1 TO OC	TOBER 1			
Diver	sion Means:	HEADGATE				
Period of	Use:	MAY 1 TO OC	TOBER 1			
*Place of U	se:					
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>

1	15.00	1	E2NENE	6	6N	20W	RAVALLI
Total:	15.00						

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/18/1994: SOURCE, POINT OF DIVERSION, FLOW RATE, VOLUME.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED ON 01/19/1999 REQUESTING TO AMEND THE SOURCE AND POINT OF DIVERSION . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 80 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 17842-00, 131600-00, 131601-00, 147793-00, 151317-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 22.00 GPM PER ACRE.

THIS CLAIM DOES NOT APPEAR TO REFLECT THE WATER RIGHT AS IT WAS BEFORE JULY 1, 1973. INFORMATION AVAILABLE INDICATES THE PRE-JULY 1, 1973 POINT OF DIVERSION WAS IN THE SESWNW SEC 7 TWP 6N RGE 20W RAVALLI COUNTY.

THE CLAIMED SOURCE MAY BE QUESTIONABLE. THE SOURCE DESCRIBED IN CASE NO. 1287 , RAVALLI COUNTY, IS INCONSISTENT WITH THE SOURCE AT THE CLAIMED POINT OF DIVERSION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151337-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	JAMES C DACUS JR 1631 EASTSIDE HWY CORVALLIS, MT 59828 9517				
Priority Date:	JANUARY 15, 1959				
Type of Historical Right	FILED				
Purpose(use):	DOMESTIC				
Flow Rate:	45.00 GPM				
Volume:	90.00 AC-FT				
Households:	1				
Maximum Acres:	0.50				
Source Name:	GROUNDWATER				
Source Type:	GROUNDWATER				
Point of Diversion and M	Aeans of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESESW167N20WRAVALLI				
	: JANUARY 1 TO DECEMBER 31				
Diversion Means:					
Period of Use:	JANUARY 1 TO DECEMBER 31				
Place of Use:					
<u>ID</u> <u>Acres</u>	Govt Lot    Qtr Sec    Sec    Twp    Rge    County				
1 0.50	NESESW 16 7N 20W RAVALLI				
<b>Total:</b> 0.50					

**Remarks:** 

DECEMBER 4, 2015

76H 151337-00

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151337-00 151339-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME EXCEEDS THE 2.75 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 72.78 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151338-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	ALLAN K STEELE 435 JORGY WAY HAMILTON, MT 59840
	LAWRENCE J STEELE 7969 SE STORMY LN PORT ORCHARD, WA 98367
	ROBERT G STEELE 20542 BRADGATE LN STRONGSVILLE, OH 44149
*Priority Date:	DECEMBER 31, 1960
Type of Historical Right	: USE
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	400.00 GPM
*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:	35.00
Source Name:	GROUNDWATER
Source Type:	GROUNDWATER
Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESESW167N20WRAVALLI
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 1 WELL
Period of Use:	APRIL 1 TO OCTOBER 1

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	35.00		SESW	16	7N	20W	RAVALLI
Total:	35.00						

#### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 1513	<b>39-00</b> STATE	MENT	OF CL	AIM.	
	Version:	1 ORIGINAI	RIGH	IT		
		Status: A	CTIVE	Ξ		
Owners:	1631 EAS	DACUS JR ISIDE HWY IS, MT 59828 9	517			
Priority Date:	JANUARY	15, 1959				
Type of Historical Right	: FILED					
Purpose(use):	STOCK					
Flow Rate:	45.00 GPN	1				
*Volume:	Diume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	GROUND	WATER				
Source Type:	GROUNDWATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NESESW	<u>Sec</u> 16	<u>Twp</u> 7N		<u>County</u> RAVALLI
Period of Diversion: JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b>	WELL					
Period of Use:	JANUARY	1 TO DECEMB	ER 31			
Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESW	16	7N	20W	RAVALLI

**Remarks:** 

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76H 151339-00

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151337-00 151339-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151394-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	PAUL A LAISY 41621 SUNNY SLOPE DR POLSON, MT 59860 7459			
	SHIRLEY A LAISY 41621 SUNNY SLOPE DR POLSON, MT 59860 7459			
Priority Date:	SEPTEMBER 1, 1949			
Type of Historical Right	: USE			
Purpose(use):	IRRIGATION			
Irrigation Type:	SPRINKLER			
Flow Rate:	56.00 GPM			
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Area: 3 - MODERATE				
Maximum Acres:	2.50			
Source Name:	BITTERROOT RIVER			
Source Type:	SURFACE WATER			
Point of Diversion and Means of Diversion:				
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSWSW 26 13N 20W MISSOULA			
Period of Diversion: APRIL 1 TO NOVEMBER 30				
<b>Diversion Means:</b>				
Subdivision:	ORCHARD HOMES CO 6 TRACT/LOT: 76			
Period of Use:	APRIL 1 TO NOVEMBER 30			

### Place of Use:

<u>ID</u>	Acres	Govt Lot	<b><u>Qtr Sec</u></b>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	2.50		NWSWSW	26	13N	20W	MISSOULA
Subdivision:		ORCHARD I	HOMES CO 6	TRACT/LOT: 76			
Total	: 2.50						

#### **Remarks:**

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/19/1989.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151396-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	LLOYD M CLARK 229 ANTIGONE DR HAMILTON, MT 59840				
	NANCY J CLARK 229 ANTIGONE DR HAMILTON, MT 59840				
Priority Date:	MAY 1, 1875				
Type of Historical Right	DECREED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	1.50 CFS				
*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:	1.00				
*Source Name: Source Type:	SKALKAHO CREEK SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI: APRIL 15 TO OCTOBER 15HEADGATEHEDGE DITCH				

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\*Point of Diversion and Means of Diversion:

'I OIIIt	of Diversion and w	ealls of Diversi	1011.				
$\frac{\text{ID}}{2}$	SECONDARY	Govt Lot	<u>Qtr Sec</u> NWNWNE	<u>Sec</u> 8	<u>Тwp</u> 5N		<u>County</u> RAVALLI
P D	eriod of Diversion: Piversion Means: itch Name:	APRIL 15 TO HEADGATE REESER DIT	OCTOBER 1	Ŭ	JN	2000	
		WATER FRO PLACE OF U		ТСНІ	S CON	VEYED	THROUGH REESER DITCH TO THE
		POINT WHEF IS PART OF EXCHANGE. WATER FRO LINE (SWSW R20W). THE PETITION FC DISTRICT IN	RE THE HED THE SKALKA WATER FRC M SKALKAH NE SEC 30 1 EXCHANGEI DR ORGANIZ RAVALLI CC DURTH JUDI	GE DI HO C OM TH O CRI 5N R 5 WA ATION OUNTY CIAL I	TCH IN REEK A IE BITT EEK TH 19W) A FER RE N AND E 7, TO BI DISTRI	TERSE AND BI ERROO AT IS I ND W/ LATIO ESTAB E KNO CT IN /	IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM TTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period	l of Use:	APRIL 15 TO	OCTOBER 1	5			
*Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County
1	1.00 Subdivision:	4 GRANTSDAL	NWNWNW .E ACRES SU	5 JBD	5N TRACT		RAVALLI I

**Total:** 1.00

#### 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.

151396-00 211175-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 127.08 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4602-00, 6051-00, 6613-00, 10141-00, 10143-00, 10144-00, 10145-00, 21194-00, 21196-00, 21219-00, 21220-00, 21988-00, 29177-00, 29178-00, 99690-00, 99940-00, 99943-00, 100556-00, 111242-00, 111244-00, 111247-00, 114606-00, 131635-00, 131637-00, 147840-00, 147844-00, 148074-00, 148077-00, 148179-00, 148181-00, 148182-00, 148232-00, 148249-00, 148253-00, 149050-00, 149051-00, 149052-00, 149054-00, 149830-00, 151047-00, 151049-00, 151396-00, 151679-00, 151830-00, 151830-00, 153805-00, 211174-00, 211707-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 673.00 GPM PER ACRE.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 680.00 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151397-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	BRIAN P HOORNBEEK 4519 RATHBUN LN STEVENSVILLE, MT 59870					
	CAREY P REED 4517 RATHBUN STEVENSVILLE, MT 59870					
*Priority Date:	MARCH 20, 1925					
Type of Historical Right	: FILED					
Purpose(use):	IRRIGATION					
Irrigation Type:	SPRINKLER					
*Flow Rate:	187.00 GPM					
	THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area	: 3 - MODERATE					
Maximum Acres:	11.00					
Source Name:	THREEMILE CREEK					
Source Type:	SURFACE WATER					
Point of Diversion and Means of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySESWNW19N20WRAVALLI					
Period of Diversion Diversion Means:	: MAY 1 TO OCTOBER 1 PUMP					
Period of Use:	MAY 1 TO OCTOBER 1					

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	11.00		SWNW	1	9N	20W RAVALLI
Total:	11.00					

#### 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.

151397-00 30022844

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 5/18/2001.

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

IMPLIED CLAIM NO. 30022844 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON THREEMILE CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 283 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Rumber.							
	Version:	1 ORIGINAL RIGHT					
		Status:	ACTIVE				
Owners:	ROB MELDRUM 533 DIAMOND 3 RD CORVALLIS, MT 59828						
	JOHN F RUSSELL 521 DIAMOND 3 RD CORVALLIS, MT 59828						
	475 WILC0	F MCCALL DX LN IS, MT 59828					
	DANEEL   503 WILCO CORVALL						
	502 DIAMO	M YEARGAN OND 3 RD IS, MT 59828					
	ANGELA A PO BOX 12 CORVALL		1231				
	WILLIAM L 447 WILCO CORVALL						
	475 WILC0	LE L MCCAL DX LN IS, MT 59828					
	JIMMIE A 0 503 WILCO CORVALL		i				

Water Right Number: 76H 151401-00 STATEMENT OF CLAIM

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> MORRISEY JUDITH T 2008 REVOCABLE TRUST 523 DIAMOND 3 RD CORVALLIS, MT 59828

PAULA P STOKES 207 FRIENDSHIP RD CLANTON, AL 35045

NANCY W DOYLE 447 WILCOX RD CORVALLIS, MT 59828

LEAH C CAPKO 501 DIAMOND 3 RD CORVALLIS, MT 59828

JOHANNA V RUSSELL 521 DIAMOND 3 RD CORVALLIS, MT 59828

JUSTIN A YEARGAN 502 DIAMOND 3 RD CORVALLIS, MT 59828 9226

HILKA S AHLERS-WILLIAMS 520 DIAMOND 3 RD CORVALLIS, MT 59828

RUSSELL J AHLERS-WILLIAMS PO BOX 2214 HAMILTON, MT 59840

FRANCIS E WILLIAMS 599 TRIANGLE LN CORVALLIS, MT 59828

SUSAN MELDRUM 533 DIAMOND 3 RD CORVALLIS, MT 59828

L EARL REYNOLDS 251 NE FROST LN CORVALLIS, MT 59828

TRACY J MASON PO BOX 1231 CORVALLIS, MT 59828 1231

BRENT C NEUMAN 552 DIAMOND 3 RD CORVALLIS, MT 59828 9226

GAIL A COTTLE 533 DIAMOND 3 ROAD CORVALLIS, MT 59828

KIRK A STOKES 207 FRIENDSHIP RD CLANTON, AL 35045 DECEMBER 4, 2015 76H 151401-00 Page 3 of 5

> IDA R REYNOLDS 251 NE FROST LN CORVALLIS, MT 59828

> ARTHUR W CAPKO 501 DIAMOND 3 RD CORVALLIS, MT 59828

> LYNN F WILLIAMS 520 DIAMOND 3 RD CORVALLIS, MT 59828

MOOMBA ASSET MANAGEMENT LLC PO BOX 1707 HAMILTON, MT 59840

REYNOLD F BROWN 533 DIAMOND 3 ROAD CORVALLIS, MT 59828 OWNER L. EARL AND IDA REYNOLDS RETAINED. CONTRACT FOR DEED INTEREST. OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 8, 1950

Type of Historical Right: FILED

Subdivision:

Period of Use:

Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER						
Flow Rate:	2.50 CFS						
*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:	80.00						
*Source Name:	BAPTISTE CREEK						
Source Type:	SURFACE WATER						
	ALSO KNOWN AS CHIEF BAPTISTE CREEK, MIDDLE FORK						
Point of Diversion and N	leans of Diversion:						
ID	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>						
1	NENENESE 15 6N 20W RAVALLI						
Period of Diversion	: APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b>	PUMP						

HAMILTON HEIGHTS TRACT/LOT: 1A BLOCK: 5

**APRIL 1 TO NOVEMBER 1** 

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#### \*Place of Use:

<u>ID</u>	Acres	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>
1	10.00 Subdivision:	E2E2NESE 15 6N 20W RAVALLI HAMILTON HEIGHTS TRACT/LOT: 1 BLOCK: 5
	Subarvision:	HAMILTON REIGHTS TRACT/LOT. T BLOCK. 5
2	10.00	W2E2NESE 15 6N 20W RAVALLI
	Subdivision:	HAMILTON HEIGHTS TRACT/LOT: 2 BLOCK: 5
3	10.00	NWNESE 15 6N 20W RAVALLI
	Subdivision:	HAMILTON HEIGHTS TRACT/LOT: 3 BLOCK: 5
4	10.00	SWNESE 15 6N 20W RAVALLI
	Subdivision:	HAMILTON HEIGHTS TRACT/LOT: 4 BLOCK: 5
5	10.00	E2E2SESE 15 6N 20W RAVALLI
	Subdivision:	HAMILTON HEIGHTS TRACT/LOT: 16 BLOCK: 5
6	10.00	W2E2SESE 15 6N 20W RAVALLI
	Subdivision:	HAMILTON HEIGHTS TRACT/LOT: 15 BLOCK: 5
7	10.00	NWSESE 15 6N 20W RAVALLI
	Subdivision:	HAMILTON HEIGHTS TRACT/LOT: 13 BLOCK: 5
8	10.00	SWSESE 15 6N 20W RAVALLI
	Subdivision:	HAMILTON HEIGHTS TRACT/LOT: 14 BLOCK: 5
Total	: 80.00	

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/19/2000: PLACE OF USE, MAXIMUM ACRES.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED ON 05/08/2014 REQUESTING TO AMEND THE SOURCE, POINT OF DIVERISON, MEANS OF DIVERSION, MEANS OF CONVEYANCE, PLACE OF USE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

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

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 57.55 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-144 , DATED 08/02/1979 APPEARS TO INDICATE 60.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151401-00 Page 5 of 5

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151402-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	SUSAN AB ERICKSON 399 FROST LN CORVALLIS, MT 59828						
	CARL G ERICKSON 399 FROST LN CORVALLIS, MT 59828						
Priority Date:	MAY 7, 1901						
Type of Historical Right	FILED						
*Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER/FLOOD						
*Flow Rate:	435.20 GPM						
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.						
*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:	25.60						
Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF COW CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and Means of Diversion:							
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESENE226N20WRAVALLI						
	: APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b>	PUMP						
	PIPELINE USED TO CONVEY WATER.						

DECEMBER 4, 2015 76H 151402-00 Page 2 of 2

Period of Use: APRIL 1 TO NOVEMBER 1

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	25.60			22	6N	20W	RAVALLI
Total:	25.60						

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/19/2000: SOURCE, PLACE OF USE, MAXIMUM ACRES.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 07/03/2014.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151403-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	ROBERT D SELVI 19363 KERWIN RANCH CT SARATOGA, CA 95070
	CUSENZA MARY ANN REVOCABLE TRUST UTD JUNE 3 2004 2109 SANTA CRUZ AVE MENLO PARK, CA 94025 6351
	TALIA, JOHN P INTER VIVOS TRUST JOHN P TALIA TRUSTEE PO BOX 388 HAMILTON, MT 59840 0388
	SANDRA A SELVI 19363 KERWIN RANCH CT SARATOGA, CA 95070 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
*Priority Date:	DECEMBER 31, 1942
Type of Historical Right	t: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

DECEMBER 4, 2015 76H 151403-00 Page 2 of 2

	Source Name:UNNAMED TRIBUTARY OF BITTERROOT RIVERSource Type:SURFACE WATER									
Point of Div	ersion and I	Means of Diver	sion:							
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> SWNWSE		<u>Twp</u> 6N	<u>Rge</u> 20W	<u>County</u> RAVALLI			
Period	of Diversion	: JANUARY 1	TO DECEMB	ER 31						
Diversio	on Means:	LIVESTOCK	DIRECT FRC	M SC	URCE					
Period of Use: JANUARY 1 TO DECEMBER 31										
Place of Use:										
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>			
1			SWNWSE	22	6N	20W	RAVALLI			

#### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Rig	ht Number:								
		Version:	Statu		CTIVE				
Owners:		RIBI IMMUNOCHEM RESEARCH INC C/O STEPHEN BRANDT, GSK PRESIDENT 553 OLD CORVALLIS ROAD HAMILTON, MT 59840							
Priority D	ate:	JUNE 16, 1970							
Type of Hi	istorical Right	: FILED							
*Purpose(u	se):	MULTIPLE	DOME	STIC					
Flow Rate	:	50.00 GPM	l						
Volume:		80.00 AC-FT							
]	Households:	2							
Maximum	Acres:	2.00							
Source Na	ime:	GROUNDWATER							
Source	e Type:	GROUNDWATER							
Point of D	viversion and I	Means of Dive	ersion:						
<u>ID</u> 1		<u>Govt Lot</u>	S	<u>Qtr Sec</u> ESESW	<u>Sec</u> 7	<u>Тwp</u> 6N		<u>County</u> RAVALLI	
	d of Diversion		1 TO I	DECEMB	ER 31				
	sion Means:	WELL							
Period of Use: JANUARY 1 TO DECEMBER 31									
Place of U	se:								
<u>ID</u>	<u>Acres</u>	Govt Lot		<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>	
1	2.00		S	ESESW	7	6N	20W	RAVALLI	
Total:	2.00								

**Remarks:** 

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE. AVAILABLE DATA SUPPORT A FLOW RATE OF 25.00 GPM.

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. 151404-00, 151405-00, 151406-00, 151407-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/02/2014, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY GLAXO SMITH KLINE BIOLOGICALS.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. AVAILABLE DATA SUPPORT A VOLUME OF 8 ACRE-FEET.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

\_\_\_\_\_

Water Right Number:	76H 15140	5-00	STAT	EMENT	OF CLAIM
	Version:	1 OF	RIGIN	AL RIGH	Т
		Status	:	WITHD	RAWN
Owners:	RIBI IMMU C/O STEPH 553 OLD C HAMILTON	HEN BR	ANDT	, GSK F	H INC PRESIDENT
Priority Date:					
<b>Enforceable Prio</b>	rity Date:				
Type of Historical Right:	:				
Purpose (use):	IRRIGATIO	N			
Flow Rate:					
Volume:					
Source Name:	GROUNDV	VATER			
Point of Diversion and M	leans of Dive	ersion:			
Period of Use:					
Place of Use:					

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 05/19/2014.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 15140	6-00 ST	ATEMENT OF CLAIM
	Version:	1 ORIG	INAL RIGHT
		Status:	WITHDRAWN
Owners:		IEN BRAN ORVALLIS	
Priority Date:			
Enforceable Prio	rity Date:		
Type of Historical Right:			
Purpose (use):	STOCK		
Flow Rate:			
Volume:			
Source Name:	GROUNDW	/ATER	
Point of Diversion and M	leans of Dive	ersion:	
Period of Use:			
Place of Use:			

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 05/19/2014.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND **CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE** AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

76H 151407-00	0 STATEMENT OF CLAIM				
Version: 1	- ORIGINAL RIGHT				
Sta	atus: WITHDRAWN				
RIBI IMMUNOCHEM RESEARCH INC C/O STEPHEN BRANDT, GSK PRESIDENT 553 OLD CORVALLIS ROAD HAMILTON, MT 59840					
ority Date:					
:					
INDUSTRIAL					
GROUNDWAT	ER				
leans of Diversio	on:				
	Version: 1 - St RIBI IMMUNO C/O STEPHEN 553 OLD COR HAMILTON, M ority Date: : INDUSTRIAL	Status: WITHDRAWN RIBI IMMUNOCHEM RESEARCH INC C/O STEPHEN BRANDT, GSK PRESIDENT 553 OLD CORVALLIS ROAD HAMILTON, MT 59840 ority Date:			

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 05/19/2014. 

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.** 

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151444-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	SUSAN K ROY 5551 KLEMENTS LN FLORENCE, MT 59833
Priority Date:	NOVEMBER 2, 1909
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	186.25 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	10.11
Source Name:	BITTERROOT RIVER
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESESW2410N20WRAVALLI
<b>Period of Diversion</b>	: APRIL 1 TO OCTOBER 1
Diversion Means: Ditch Name:	HEADGATE MILLS DITCH
Period of Use:	APRIL 1 TO OCTOBER 1

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#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1	0.25		SESENENE	11	10N	20W	RAVALLI
2	6.02		S2S2NWNW	12	10N	20W	RAVALLI
3	3.84		N2N2SWNW	12	10N	20W	RAVALLI
Total:	10.11						

#### 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.

151444-00 151445-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151444-00 151447-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

USE OF THE MILLS DITCH TO CONVEY WATER TO THE PLACE OF USE MAY BE QUESTIONABLE. FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 19.00 GPM PER ACRE.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 179-134 , DATED 08/02/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151444-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151445-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	SUSAN K ROY 5551 KLEMENTS LN FLORENCE, MT 59833
Priority Date:	APRIL 1, 1905
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	31.42 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	10.11
Source Name:	BITTERROOT RIVER
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1	Govt Lot Qtr Sec Sec Twp Rge County
•	NESESW 24 10N 20W RAVALLI
Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE
Diversion Means: Ditch Name:	MILLS DITCH
Period of Use:	APRIL 1 TO OCTOBER 31

DECEMBER 4, 2015 76H 151445-00 Page 2 of 3

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1	0.25		SESENENE	11	10N	20W	RAVALLI
2	6.02		S2S2NWNW	12	10N	20W	RAVALLI
3	3.84		N2N2SWNW	12	10N	20W	RAVALLI
Total:	10.11						

#### 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.

151444-00 151445-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151445-00 151446-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

USE OF THE MILLS DITCH TO CONVEY WATER TO THE PLACE OF USE MAY BE QUESTIONABLE. FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 179-134 , DATED 08/02/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151445-00 Page 3 of 3

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151446-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	SUSAN K ROY 5551 KLEMENTS LN FLORENCE, MT 59833
Priority Date:	APRIL 1, 1905
Type of Historical Right	: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	BITTERROOT RIVER
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESESW2410N20WRAVALLI
Period of Diversion	: APRIL 1 TO OCTOBER 31
Diversion Means: Ditch Name:	HEADGATE MILLS DITCH

Period of Use: APRIL 1 TO OCTOBER 31

DECEMBER 4, 2015 76H 151446-00 Page 2 of 2

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			SESENENE	11	10N	20W	RAVALLI
2			S2S2NWNW	12	10N	20W	RAVALLI
3			N2N2SWNW	12	10N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151445-00 151446-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

USE OF THE MILLS DITCH TO CONVEY WATER TO THE PLACE OF USE MAY BE QUESTIONABLE. WATER IS NOT DIVERTED FROM THE SOURCE CLAIMED. A HISTORICAL APPROPRIATION FROM THE CLAIMED SOURCE CANNOT BE CONFIRMED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151447-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	SUSAN K ROY 5551 KLEMENTS LN FLORENCE, MT 59833
Priority Date:	NOVEMBER 2, 1909
Type of Historical Right	DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	BITTERROOT RIVER
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESESW2410N20WRAVALLI
Period of Diversion	: APRIL 1 TO OCTOBER 1
Diversion Means: Ditch Name:	HEADGATE MILLS DITCH
Period of Use:	APRIL 1 TO OCTOBER 1

DECEMBER 4, 2015 76H 151447-00 Page 2 of 2

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1			SESENENE	11	10N	20W	RAVALLI
2			S2S2NWNW	12	10N	20W	RAVALLI
3			N2N2SWNW	12	10N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151444-00 151447-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

USE OF THE MILLS DITCH TO CONVEY WATER TO THE PLACE OF USE MAY BE QUESTIONABLE. WATER IS NOT DIVERTED FROM THE SOURCE CLAIMED. A HISTORICAL APPROPRIATION FROM THE CLAIMED SOURCE CANNOT BE CONFIRMED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151454-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	EDWARD W JOHNSON 314 FISH HATCHERY RD HAMILTON, MT 59840
	CAROL A JOHNSON 314 FISH HATCHERY RD HAMILTON, MT 59840
*Priority Date:	APRIL 27, 1982
	THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE FILING DATE OF THE STATEMENT OF CLAIM. THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.
	THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA.
*Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
*Flow Rate:	170.00 GPM
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
*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:	10.00
Source Name:	GROUNDWATER
Source Type:	GROUNDWATER

DECEMBER 4, 2015 76H 151454-00 Page 2 of 2

> Point of Diversion and Means of Diversion: ID Govt Lot Qtr Sec Sec Twp

<u>ID</u>		GOVI LOL	<u>Qtr Sec</u>	<u>Sec</u>	<u>1 wp</u>	<u>kge</u>	County
1			SWNENW	7	5N	20W	RAVALLI
Per	iod of Diversion	: MAY 15 TO I	NOVEMBER 1	l			
Dive	ersion Means:	WELL					
Period of	f Use:	MAY 15 TO N	NOVEMBER 1				
Place of	Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	10.00		SWNENW	7	5N	20W	RAVALLI
Total:	10.00						

#### Remarks:

ā....

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

Dea County

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 2.11 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 179-116 , DATED 08/02/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151459-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	SEVERNS, DENISE B REVOCABLE TRUST 298 WOODSIDE CUTOFF RD CORVALLIS, MT 59828		
<b>Priority Date:</b>	MAY 29, 1946		
Type of Historical Rig	ht: FILED		
Purpose(use):	IRRIGATION		
Irrigation Typ	FLOOD		
Flow Rate:	1.52 CFS		
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.		
Climatic Ar	ea: 2 - MODERATELY HIGH		
Maximum Acres:	40.00		
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF WILLOW CREEK		
Source Type:	SURFACE WATER		
*Point of Diversion an	d Means of Diversion:		
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyN2E2NW56N20WRAVALLI		
Period of Diversi Diversion Means	on: APRIL 15 TO OCTOBER 15 : DITCH		
	DRAIN DITCH IS FED ALONG ITS FULL LENGTH BY UNDERGROUND SEEPS.		
Period of Use:	APRIL 15 TO OCTOBER 15		
Place of Use:			
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u> <u>Qtr Sec Sec Twp Rge</u> <u>County</u>		
1 40.00	SESW 32 7N 20W RAVALLI		

Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
Total:	40.00					

#### 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.

151459-00 99245-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 03/24/1999.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151461-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE		
Owners:	PENELOPE S MENNING 220 LINCOLN LN HAMILTON, MT 59840		
	BRIAN E MENNING 220 LINCOLN LN HAMILTON, MT 59840		
Priority Date:	MAY 1, 1866		
Type of Historical Right	DECREED		
*Purpose(use):	IRRIGATION		
Irrigation Type:	SPRINKLER/FLOOD		
Flow Rate:	21.54 GPM		
*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:	5.00		
Source Name: Source Type:	SKALKAHO CREEK SURFACE WATER		
*Point of Diversion and Means of Diversion:			
1 Period of Diversion Diversion Means: Ditch Name:	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLIHEADGATEHEDGE DITCH		

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\*Point of Diversion and Means of Diversion:

Tome of Diversion and N	leans of Diversi	011.				
ID	Govt Lot	<u>Qtr Sec</u>		Twp		County
2 - SECONDARY		NWNWNE	8	5N	20W	RAVALLI
Period of Diversion	: APRIL 1 TO C	OCTOBER 1				
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	REESER DIT	СН				
	WATER FRO	-	ITCH I	S CON	VEYED	D THROUGH REESER DITCH TO THE
	POINT WHEF IS PART OF T EXCHANGE. WATER FROM LINE (SWSW R20W). THE I PETITION FO DISTRICT IN	RE THE HED THE SKALKA WATER FRO M SKALKAH NE SEC 30 EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	GE DI MO C OM TH O CRI T5N R D WA <sup>-</sup> ATION OUNTY CIAL I	TCH IN REEK / E BITT EEK TH 19W) A FER RE N AND I 7, TO B DISTRI	TERSE AND BI ERRO IAT IS ND W LATIO ESTAB E KNO CT IN A	A IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Use:	APRIL 1 TO C	CTOBER 1				
Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1 5.00 Subdivision: Total: 5.00	W AND R AD	SWSWSE D TRACT/L	31 .OT: 9	6N BLOC		RAVALLI

#### 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.

151461-00 151462-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151461-00 151463-00

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

# THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

DECEMBER 4, 2015 76H 151461-00 Page 3 of 3

> A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

> COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151462-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE		
Owners:	BRIAN E MENNING 220 LINCOLN LN HAMILTON, MT 59840		
	PENELOPE S MENNING 220 LINCOLN LN HAMILTON, MT 59840		
*Priority Date:	MAY 1, 1875		
Type of Historical Right	DECREED		
*Purpose(use):	IRRIGATION		
Irrigation Type:	SPRINKLER/FLOOD		
Flow Rate:	34.56 GPM		
*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:	5.00		
Source Name: Source Type:	SKALKAHO CREEK SURFACE WATER		
*Point of Diversion and Means of Diversion:			
1 Period of Diversion Diversion Means: Ditch Name:	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI: APRIL 1 TO OCTOBER 1HEADGATEHEDGE DITCH		

DECEMBER 4, 2015 76H 151462-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

*Point	of Diversion and w	leans of Diversi	011:				
<u>ID</u>		<u>Govt Lot</u>	<u>Qtr Sec</u>		Twp		County
2 - 5	SECONDARY		NWNWNE	8	5N	20W	RAVALLI
Р	eriod of Diversion	APRIL 1 TO C	OCTOBER 1				
D	iversion Means:	HEADGATE					
D	itch Name:	REESER DIT	СН				
		WATER FROM PLACE OF US		ITCH I	S CON	VEYED	D THROUGH REESER DITCH TO THE
		POINT WHEF IS PART OF T EXCHANGE. WATER FROM LINE (SWSW R20W). THE I PETITION FO DISTRICT IN	E THE HED THE SKALKA WATER FRO M SKALKAH NE SEC 30 EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	GE DI HO C DM TH O CRE T5N R D WAT O WAT ATION OUNTY CIAL I	TCH IN REEK / E BITT EEK TH 19W) A FER RE N AND I Y, TO B DISTRI	TERSE AND BI ERRO IAT IS ND W LATIO ESTAB E KNO CT IN A	A IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period	of Use:	APRIL 1 TO O	CTOBER 1				
Place	of Use:						
ID	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1 Total	5.00 Subdivision: : 5.00	W AND R AD	SWSWSE D TRACT/L	31 OT: 9	6N BLOC		RAVALLI

#### **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.

151461-00 151462-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151462-00 151464-00

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

# THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151463-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	BRIAN E MENNING 220 LINCOLN LN HAMILTON, MT 59840				
	PENELOPE S MENNING 220 LINCOLN LN HAMILTON, MT 59840				
Priority Date:	MAY 1, 1866				
Type of Historical Right	t: DECREED				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	SKALKAHO CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and	*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI				
	a: APRIL 1 TO OCTOBER 1				
Diversion Means: Ditch Name:	HEADGATE HEDGE DITCH				

**DECEMBER 4, 2015** 76H 151463-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

I ont of Dive	1 SIOII and IN	icans of Divers	1011.				
ID 2 - SECON		Govt Lot	<u>Qtr Sec</u> NWNWNE	<u>Sec</u> 8	<u>Twp</u> 5N		<u>County</u> RAVALLI
		: APRIL 1 TO (		0	511	2000	
Diversio Ditch Na	n Means: ame:	HEADGATE REESER DIT	СН				
		WATER FRC PLACE OF U		ITCH	IS CON	IVEYE	D THROUGH REESER DITCH TO THE
		POINT WHEI IS PART OF EXCHANGE. WATER FRC LINE (SWSW R20W). THE PETITION FC DISTRICT IN	RE THE HED THE SKALKA WATER FRO M SKALKAH INE SEC 30 T EXCHANGEI DR ORGANIZ RAVALLI CC OURTH JUDI	GE DI HO C OM TH O CRI T5N R D WA D WA ATION OUNT CIAL	TCH IN REEK / IE BITT EEK TH 19W) A TER RE N AND (, TO B DISTRI	ITERSE AND BI ERRO IAT IS AND W ELATIO ESTAB E KNO CT IN /	A IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N DNSHIP IS DESCRIBED IN - RE THE SLISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Use:		APRIL 1 TO C	OCTOBER 1				
Place of Use: <u>ID</u>	Acres	Govt Lot	Qtr Sec	Sec	Тwp	Rge	<u>County</u>
1				21	<u>6N</u>		

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		S	WSWSE	31	6N	20W	RAVALLI
	Subdivision:	W AND R ADD	TRACT/L	OT: 9	BLOC	:K: 1	

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151461-00 151463-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.** 

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR **EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO. YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN** ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND **RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED** IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151464-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	PENELOPE S MENNING 220 LINCOLN LN HAMILTON, MT 59840				
	BRIAN E MENNING 220 LINCOLN LN HAMILTON, MT 59840				
Priority Date:	MAY 1, 1875				
Type of Historical Right	: DECREED				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	SKALKAHO CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and	*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI				
	a: APRIL 1 TO OCTOBER 1				
Diversion Means: Ditch Name:	HEADGATE HEDGE DITCH				

DECEMBER 4, 2015 76H 151464-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

I Unit Of Div	cision and N	leans of Divers	1011.				
<u>ID</u> 2 - SECC		Govt Lot	<u>Qtr Sec</u> NWNWNE	<u>Sec</u> 8	<u>Twp</u> 5N		<u>County</u> RAVALLI
		: APRIL 1 TO		0	511	2000	
Diversi Ditch N	on Means: Jame:	HEADGATE REESER DIT	СН				
		WATER FRC PLACE OF U		ITCH	IS CON	VEYED	D THROUGH REESER DITCH TO THE
		POINT WHEI IS PART OF EXCHANGE. WATER FRC LINE (SWSW R20W). THE PETITION FC DISTRICT IN	RE THE HED THE SKALKA WATER FRO M SKALKAH /NE SEC 30 EXCHANGEI DR ORGANIZ RAVALLI CC OURTH JUDI	GE DI HO C OM TH O CRI T5N R D WA ATION OUNT CIAL	TCH IN REEK / IE BITT EEK TH 19W) A TER RE N AND (, TO B DISTRI	ITERSE AND BI ERROG IAT IS IAT IS IAT IS IS IAT IS ERROG ESTAB E KNO CT IN A	A IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE ILISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of U	se:	APRIL 1 TO C	OCTOBER 1				
Place of Use <u>ID</u>	e: <u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			C/V/C/V/CE	21	6N	20\//	

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		S	WSWSE	31	6N	20W	RAVALLI
	Subdivision:	W AND R ADD	TRACT/L	OT: 9	BLOC	:K: 1	

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151462-00 151464-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151464-00 Page 3 of 3

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151488-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	CLIFTON J REED 656 WILLOW CREEK RD CORVALLIS, MT 59828				
	TERRY L REED 656 WILLOW CREEK RD CORVALLIS, MT 59828 9216				
*Priority Date:	DECEMBER 31, 1950				
Type of Historical Right	: USE				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER/FLOOD				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.				
Volume:	80.00 AC-FT				
Climatic Area	: 3 - MODERATE				
Maximum Acres:	30.00				
*Source Name: Source Type:	UNNAMED TRIBUTARY OF COALPIT CREEK SURFACE WATER				
*Point of Diversion and N	*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNWSE347N20WRAVALLI				
*Period of Diversion Diversion Means: Subdivision:	: APRIL 1 TO OCTOBER 15 DAM RAVALLI FARM TRACT/LOT: 3 BLOCK: 1				

\*Reservoir:

**ONSTREAM** 

**Govt Lot** Otr Sec Sec Twp **Rge** County NWNWSE 20W RAVALLI 34 7N **DIVERSION #1 Diversion to Reservoir:** 13.00 FEET Dam Height: 10.00 FEET Depth: 2.10 ACRES Surface Area: **Capacity:** 8.40 ACRE-FEET THE CAPACITY, SURFACE AREA, DAM HEIGHT, AND MAXIMUM DEPTH HAVE BEEN ESTIMATED BY DNRC. **APRIL 1 TO OCTOBER 15** Period of Use: Place of Use: **Rge** County ID **Govt Lot** Qtr Sec Acres Sec Twp 1 30.00 NESW 34 7N 20W RAVALLI Subdivision: RAVALLI FARM TRACT/LOT: 5 BLOCK: 1 30.00 Total:

#### Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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 PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER SYSTEM WAS FIRST PUT TO USE.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 10 TIMES THE CAPACITY OF THE RESERVOIR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151488-00 Page 3 of 3

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151493-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JEANNE M ARVISH ***DECEASED*** 80 ARBOR LN HAMILTON, MT 59840
	RAYMOND F ARVISH 80 ARBOR LN HAMILTON, MT 59840
*Priority Date:	DECEMBER 31, 1956
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	15.00 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	2.00
*Source Name:	SNAKE CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSESE 31 6N 20W RAVALLI
-	APRIL 1 TO OCTOBER 31
Diversion Means:	PUMP
Subdivision:	W AND R ADD TRACT/LOT: 005 BLOCK: 001
Period of Use:	APRIL 1 TO OCTOBER 31

#### \*Place of Use:

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<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	2.00		S2SESE	31	6N	20W	RAVALLI
	Subdivision:	W AND R ADD	TRACT/L	OT: 5	BLOC	CK: 1	
Total	: 2.00						

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/10/2014: FLOW RATE, VOLUME.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AS OF 10/07/2013 , THIS WATER RIGHT APPEARS TO BE OWNED BY PITCHFORK INVESTMENTS CO. , 432 W. SPRUCE ST., SUITE 201 , MISSOULA MT , 59802-4140.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE SPRING CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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#### **IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151498-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE						
Owners:	JOANNA S CRAWFORD 4377 ILLINOIS BENCH RD STEVENSVILLE, MT 59870						
	SUSAN AHLSTRAND 689 AMBROSE CREEK RD STEVENSVILLE, MT 59870						
	TAMMY K SCHULTZ 677 AMBROSE CREEK RD STEVENSVILLE, MT 59870						
	MARKUS BOLLER 5537 OLD US HIGHWAY 93 FLORENCE, MT 59833 6568						
	LOIS D PEARSON 693 AMBROSE CREEK RD STEVENSVILLE, MT 59870						
	MARVIN AHLSTRAND 689 AMBROSE CREEK RD STEVENSVILLE, MT 59870						
	KURT O BIELEFELDT 693 AMBROSE CREEK RD STEVENSVILLE, MT 59870						
	BRADLEY SCHULTZ 300 EXPLORER WAY FLORENCE, MT 59833						
*Priority Date:	MAY 20, 1957						
Type of Historical Right	: USE						

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

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Page 2 of 3		
Flow Rate:	5.00 CFS	
	PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINE	D.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EX AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.	
	PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECRE : 3 - MODERATE	ED.
Maximum Acres:	175.00	
Source Name: Source Type:	UNNAMED TRIBUTARY OF THREEMILE CREEK SURFACE WATER	
*Point of Diversion and M	Means of Diversion:	
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySENENE79N19WRAVALLI	
Period of Diversion Diversion Means:	I: JANUARY 1 TO DECEMBER 31 DAM	
2	S2NWNE 7 9N 19W RAVALLI	
Period of Diversion Diversion Means:	: JANUARY 1 TO DECEMBER 31 DAM	
3	NWSENE 7 9N 19W RAVALLI	
	: JANUARY 1 TO DECEMBER 31 HEADGATE	
Diversion Means:	THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY CLAIM.	DNRC FOR THIS
Reservoir: ON	STREAM	
	Govt LotQtr SecSecTwpRgeCountySENENE79N19WRAVALLI	
Diversion to R Dam Height: Depth: Surface Area: Capacity:	eservoir: DIVERSION # 1 6.00 FEET 3.00 FEET 0.25 ACRES 0.30 ACRE-FEET	
Reservoir: ON	STREAM	
	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> S2NWNE 7 9N 19W RAVALLI	
Diversion to R Dam Height: Depth: Surface Area: Capacity:	eservoir: DIVERSION # 2 5.00 FEET 1.00 FEET 0.25 ACRES 0.10 ACRE-FEET SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR RESERVOIR DATA.	
Period of Use:	APRIL 1 TO NOVEMBER 1	

DECEMBER 4, 2015 76H 151498-00 Page 3 of 3

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	100.00		NE	7	9N	19W	RAVALLI
2	60.00		N2NW	7	9N	19W	RAVALLI
3	10.00		N2SENW	7	9N	19W	RAVALLI
4	5.00		NESWNW	7	9N	19W	RAVALLI
Total:	175.00						

#### 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.

151498-00 151500-00 151501-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 5/1/2007: SOURCE, TYPE OF RIGHT.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/22/1992: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 151501-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151499-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	NORTHWESTERN CORPORATION % LANDS & PERMITTING DEPT 40 E BROADWAY ST BUTTE, MT 59701 9350
	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS PO BOX 200701 HELENA, MT 59620 0701
	FAITH A KEMP 1250 HAMILTON HTS RD CORVALLIS, MT 59828
	SIX DEGREES LLC 568 GRAY FOX LN CORVALLIS, MT 59828
	ARIELLE J BUMBARGER %TONYA D BUMBARGER, CUSTODIAN PO BOX 670 CORVALLIS, MT 59828
	VIRGINIA L ELDRIDGE 1138 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	GARY CHILCOTT 2507 MUIRFIELD COURT MISSOULA, MT 59808
	ANGELA B WETZSTEON 493 RYANS WAY CORVALLIS, MT 59828 9258
	STEELE, ROBERT W & LAURA L TRUST 20542 BRADGATE LN STRONGSVILLE, OH 44149 6778

DECEMBER 4, 2015 76H 151499-00 Page 2 of 4

> WILLIAM B KEMP 1250 HAMILTON HTS RD CORVALLIS, MT 59828

DEBORAH R CLISE-KERR 758 STONE CREEK LOOP CORVALLIS, MT 59828 9335

AMANDA L BARNINGS 568 GRAY FOX LN CORVALLIS, MT 59828

JACK R BARNINGS 568 GRAY FOX LN CORVALLIS, MT 59828

PAUL ELDRIDGE 1138 HAMILTON HEIGHTS RD CORVALLIS, MT 59828

CORY A WETZSTEON 493 RYANS WAY CORVALLIS, MT 59828 9258

Priority Date:

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.05 CFS

\*Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE

AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 2 - MODERATELY HIGH

JUNE 1, 1859

Maximum Acres: 255.00

*Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

\*Point of Diversion and Means of Diversion:

ID	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>		
1		NWSENW	8	6N	19W	RAVALLI		
Period of Diversion	: JANUARY 1	TO DECEMB	ER 31					
<b>Diversion Means:</b>	HEADGATE							
Ditch Name:	WILLOW CR	EEK LOW DI	ТСН					
2		NWSWNE	9	6N	19W	RAVALLI		
Period of Diversion	: JANUARY 1	TO DECEMBI	ER 31					
<b>Diversion Means:</b>	HEADGATE							
Ditch Name:	WILLOW CREEK HIGH DITCH							
Period of Use:	JANUARY 1	TO DECEMBE	R 31					

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	20.00		NWNE	18	6N	19W	RAVALLI
2	40.00		NENW	18	6N	19W	RAVALLI
3	35.00		SENW	18	6N	19W	RAVALLI
4	40.00		NENE	13	6N	20W	RAVALLI
5	40.00		SENE	13	6N	20W	RAVALLI
6	40.00		SWNE	13	6N	20W	RAVALLI
7	40.00		NESE	13	6N	20W	RAVALLI
Total:	255.00						

#### **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.

151499-00 151502-00 151503-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 120 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 98-00, 40344-00, 148090-00, 148091-00, 151499-00, 151619-00, 214159-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 103888-00, 147779-00, 151499-00, 151502-00, 151503-00, 151619-00, 151620-00, 151621-00.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 1 TO OCTOBER 31.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 167.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 179-144 , DATED 08/02/1979 , APPEARS TO INDICATE 162.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AS PER A DEED RECORDED IN BOOK 126, PAGE 406, RAVALLI COUNTY, WATER RIGHTS APPEAR TO HAVE BEEN SEVERED FROM THE FOLLOWING LEGAL LAND DESCRIPTION: NE, SE, AND E2 SEC 13 T06N R20W.

AS PER A DEED RECORDED IN BOOK 133, PAGE 680, RAVALLI COUNTY, WATER RIGHTS APPEAR TO HAVE BEEN SEVERED FROM THE FOLLOWING LEGAL LAND DESCRIPTION: SW, NE, AND W2 SEC 13 T06N R20W (15.00 ACRES).

AS PER A DEED RECORDED IN BOOK 165, PAGE 565, RAVALLI COUNTY, WATER RIGHTS APPEAR TO HAVE BEEN SEVERED FROM THE FOLLOWING LEGAL LAND DESCRIPTION: SE AND E2 SEC 13 T06N R20W.

A PORTION OF THE CLAIMED PLACE OF USE DESCRIBED IN A DEED RECORDED IN BOOK 129, PAGE 950, RAVALLI COUNTY WAS SOLD BY THE ORIGINAL CLAIMANT PRIOR TO JULY 1, 1973. DECEMBER 4, 2015 76H 151499-00 Page 4 of 4

THIS CLAIM BASED ON THE JOHN WATTS DECREED RIGHT IN CASE NO. 931 WAS ORIGINALLY DECREED TO THE SENE SEC 09 AND SWNW, SW, S2SE SEC 10 T06N R20W RAVALLI COUNTY. HOWEVER, DOCUMENTATION INDICATES THAT PORTIONS OF THIS RIGHT WERE SEVERED FROM ITS HISTORIC PLACE OF USE AND RELOCATED TO THE CLAIMED PLACE OF USE LOCATED IN SEC 13 T06N R20W. SEE CLAIM FILE FOR DOCUMENTATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H    151500-00    STATEMENT OF CLAIM      Version:    1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JOANNA S CRAWFORD 4377 ILLINOIS BENCH RD STEVENSVILLE, MT 59870
	MARVIN AHLSTRAND 689 AMBROSE CREEK RD STEVENSVILLE, MT 59870
	SUSAN AHLSTRAND 689 AMBROSE CREEK RD STEVENSVILLE, MT 59870
	BRADLEY SCHULTZ 300 EXPLORER WAY FLORENCE, MT 59833
	KURT O BIELEFELDT 693 AMBROSE CREEK RD STEVENSVILLE, MT 59870
	TAMMY K SCHULTZ 677 AMBROSE CREEK RD STEVENSVILLE, MT 59870
	MARKUS BOLLER 5537 OLD US HIGHWAY 93 FLORENCE, MT 59833 6568
	LOIS D PEARSON 693 AMBROSE CREEK RD STEVENSVILLE, MT 59870
*Priority Date:	JUNE 5, 1968
Type of Historical Right	t: FILED
Purpose(use):	IRRIGATION

**Irrigation Type:** SPRINKLER

DECEMBER 4 76H 151500-(							Decree Repo
Page 2 of 3							
Flow Rate:	:	1.34 CFS					
		PRIMARIL	Y A DIRECT FL	ow s	YSTEM	l; FLOV	V RATE RETAINED.
*Volume:		AMOUNT	PUT TO HISTOF	RICAL	AND E	ENEFI	IT SHALL NOT EXCEED THE CIAL USE. JME NOT DECREED.
(	Climatic Area	: 3 - MODEF	RATE				
Maximum	Acres:	70.00					
*Source Na	me:	SPRING, U	JNNAMED TRI	BUTAI	RY OF	THREE	MILE CREEK
Source	Туре:	SURI	FACE WATER				
		ALSO KNO	OWN AS DRY C	REEK	SPRIN	IG	
Point of Di	iversion and I	Means of Div	ersion:				
<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u>		Twp		County
	l of Dimonsion		NENENE 1 TO DECEMB	7 FD 24	9N	19W	RAVALLI
	sion Means:	DAM	I TO DECEMB	ERJI			
		STREAM					
		Govt Lot	Qtr Sec	Sec	Twn	Raa	County
		Gove Lot	NENENE	<u>Sec</u> 7	<u>Twp</u> 9N		RAVALLI
D	viversion to R	eservoir:	DIVERSION # 1	I			
	am Height:		6.00 FEET				
	)epth: urface Area:		3.00 FEET	~			
~	urface Area: Capacity:		0.25 ACRES				
		SEE THE I RESERVC	RESERVOIR W			N THE	CLAIM FILE FOR ADDITIONAL
Period of U	J <b>se:</b>	APRIL 1 T		1			
Place of Us	se:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	40.00		NENE	7	9N	19W	RAVALLI
2	30.00		NWNE	7	9N	19W	RAVALLI
Total:	70.00						

#### 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.

151498-00 151500-00 151501-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/01/2007: POINT OF DIVERSION, MEANS OF DIVERSION, MEANS OF CONVEYANCE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 04/22/1992.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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#### **IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 15150	01-00	STATEMENT OF CLAIM
	Version:	1 OR	IGINAL RIGHT
		Status:	ACTIVE
Owners:	JOANNA S 4377 ILLIN STEVENS	OIS BEN	NCH RD
	KURT O BI 693 AMBR STEVENS	OSE CR	EEK RD
	LOIS D PE 693 AMBR STEVENS	OSE CR	
	MARVIN A 689 AMBR STEVENS	OSE CR	EEK RD
	BRADLEY 300 EXPLO FLORENC	DRER W	AY
	TAMMY K 677 AMBR STEVENS	OSE CR	EEK RD
	MARKUS 5537 OLD FLORENC	US HIGF	HWAY 93
	SUSAN AH 689 AMBR STEVENS	OSE CR	EEK RD
*Priority Date:	MAY 20, 19	957	
Type of Historical Right	: FILED		
Purpose(use):	IRRIGATIC	DN	

Irrigation Type: SPRINKLER/FLOOD

H 151501-0	0						
age 2 of 3							
Flow Rate:		5.00 CFS					
Volume:			VOLUME OF				T SHALL NOT EXCEED THE CIAL USE.
C	limatic Area	: 3 - MODERA	<b>\TE</b>				
Maximum	Acres:	175.00					
Source Nar	ne:	AMBROSE	CREEK				
Source '	Гуре:	SURF	ACE WATER				
Point of Di	version and I	Means of Dive	rsion:				
<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> SWSWSE	<u>Sec</u> 5	<u>Twp</u> 9N		<u>County</u> RAVALLI
	of Diversion	I: JANUARY 1 HEADGATE	I TO DECEMB	ER 31			
			HICH IS USED			-	K IS CONVEYED TO DRY CREEK ARRIER TO CONVEY WATER TO THE
Reser	voir: OF	FSTREAM					
		<u>Govt Lot</u>	<u>Qtr Sec</u> S2NWNE	<u>Sec</u> 7	<u>Twp</u> 9N		<u>County</u> RAVALLI
D D St	iversion to R am Height: epth: ırface Area: apacity:	eservoir: C	0IVERSION # 1 5.00 FEET 1.00 FEET 0.25 ACRES 0.10 ACRE-	6			
Reser	voir: OF	FSTREAM					
		<u>Govt Lot</u>	<u>Qtr Sec</u> SENENE	<u>Sec</u> 7	<u>Twp</u> 9N		<u>County</u> RAVALLI
D D St	iversion to R am Height: epth: ırface Area: apacity:	eservoir: C	DIVERSION # 1 6.00 FEET 3.00 FEET 0.25 ACRES 0.30 ACRE-	6			
		SEE THE RI RESERVOIF		ORKS	HEET I	N THE	CLAIM FILE FOR ADDITIONAL
Period of U	se:	APRIL 1 TO	NOVEMBER ?	1			
Place of Us	٥.						
ID	<u>Acres</u>	Govt Lot	Qtr Sec	Sec	<u>Twp</u>	Rge	County
1	100.00		NE	7	 9N		RAVALLI
2	60.00		N2NW	7	9N		RAVALLI
3	10.00		N2SENW	7	9N		RAVALLI
4	5.00		NESWNW	7	9N	19W	RAVALLI
	175.00						

**Remarks:** 

DECEMBER 4, 2015

DECEMBER 4, 2015 76H 151501-00

Page 3 of 3

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151498-00 151500-00 151501-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/22/1992: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 05/01/2007.

IMPLIED CLAIM NO. 151498-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED MEANS OF DIVERSION CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, THE RIGHT MAY NOT HAVE BEEN USED FOR THE PAST 25 YEARS.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151502-00	STATEMENT OF CLAIM
---------------------	---------------	--------------------

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners:** 

FAITH A KEMP 1250 HAMILTON HTS RD CORVALLIS, MT 59828

GARY CHILCOTT 2507 MUIRFIELD COURT MISSOULA, MT 59808

VIRGINIA L ELDRIDGE 1138 HAMILTON HEIGHTS RD CORVALLIS, MT 59828

MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS PO BOX 200701 HELENA, MT 59620 0701

STEELE, ROBERT W & LAURA L TRUST 20542 BRADGATE LN STRONGSVILLE, OH 44149 6778

WILLIAM B KEMP 1250 HAMILTON HTS RD CORVALLIS, MT 59828

PAUL ELDRIDGE 1138 HAMILTON HEIGHTS RD CORVALLIS, MT 59828

CORY A WETZSTEON 493 RYANS WAY CORVALLIS, MT 59828 9258

SIX DEGREES LLC 568 GRAY FOX LN CORVALLIS, MT 59828 DECEMBER 4, 2015 76H 151502-00 Page 2 of 4

> DEBORAH R CLISE-KERR 758 STONE CREEK LOOP CORVALLIS, MT 59828 9335

AMANDA L BARNINGS 568 GRAY FOX LN CORVALLIS, MT 59828

ARIELLE J BUMBARGER %TONYA D BUMBARGER, CUSTODIAN PO BOX 670 CORVALLIS, MT 59828

ANGELA B WETZSTEON 493 RYANS WAY CORVALLIS, MT 59828 9258

JACK R BARNINGS 568 GRAY FOX LN CORVALLIS, MT 59828

NORTHWESTERN CORPORATION % LANDS & PERMITTING DEPT 40 E BROADWAY ST BUTTE, MT 59701 9350

Priority Date: JUNE 1, 1860

**Type of Historical Right: DECREED** 

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 258.06 GPM

**\*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: 255.00

\*Source Name: WILLOW CREEK

Source Type: SURFACE WATER

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>			
1		NWSENW	8	6N	19W	RAVALLI			
Period of Diversion	: JANUARY 1	TO DECEMB	ER 31						
<b>Diversion Means:</b>	HEADGATE								
Ditch Name:	WILLOW CR	WILLOW CREEK LOW DITCH							
2		NWSWNE	9	6N	19W	RAVALLI			
Period of Diversion	: JANUARY 1	TO DECEMB	ER 31						
<b>Diversion Means:</b>	HEADGATE								
Ditch Name:	WILLOW CREEK HIGH DITCH								
Period of Use:	JANUARY 1	TO DECEMBE	ER 31						

DECEMBER 4, 2015 76H 151502-00 Page 3 of 4

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	20.00		NWNE	18	6N	19W RAVALLI
2	40.00		NENW	18	6N	19W RAVALLI
3	35.00		SENW	18	6N	19W RAVALLI
4	40.00		NENE	13	6N	20W RAVALLI
5	40.00		SENE	13	6N	20W RAVALLI
6	40.00		SWNE	13	6N	20W RAVALLI
7	40.00		NESE	13	6N	20W RAVALLI
Total:	255.00					

#### **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.

151499-00 151502-00 151503-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 103888-00, 147779-00, 151499-00, 151502-00, 151503-00, 151619-00, 151620-00, 151621-00.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 15 TO OCTOBER 15.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 167.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 179-144 , DATED 08/02/1979 , APPEARS TO INDICATE 162.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AS PER A DEED RECORDED IN BOOK 165, PAGE 565, RAVALLI COUNTY, WATER RIGHTS APPEAR TO HAVE BEEN SEVERED FROM THE FOLLOWING LEGAL LAND DESCRIPTION: SE, E2 SEC 13 T06N R20W.

AS PER A DEED RECORDED IN BOOK 126, PAGE 406, RAVALLI COUNTY, WATER RIGHTS APPEAR TO HAVE BEEN SEVERED FROM THE FOLLOWING LEGAL LAND DESCRIPTION: E2, SE, AND NE SEC 13 T06N R20W.

AS PER A DEED RECORDED IN BOOK 133, PAGE 680, RAVALLI COUNTY, WATER RIGHTS APPEAR TO HAVE BEEN SEVERED FROM THE FOLLOWING LEGAL LAND DESCRIPTION: W2, SW, AND NE SEC 13 T06N R20W (15.00 ACRES).

A PORTION OF THE CLAIMED PLACE OF USE DESCRIBED IN A DEED RECORDED IN BOOK 129, PAGE 950, RAVALLI COUNTY WAS SOLD BY THE ORIGINAL CLAIMANT PRIOR TO JULY 1, 1973.

THIS CLAIM BASED ON THE JOHN WATTS DECREED RIGHT IN CASE NO. 931 WAS ORIGINALLY DECREED TO THE SENE SEC 9 AND SWNW, SW, S2SE SEC 10 T06N R20W RAVALLI COUNTY. HOWEVER, DOCUMENTATION INDICATES THAT PORTIONS OF THIS RIGHT WERE SEVERED FROM ITS HISTORIC PLACE OF USE AND RELOCATED TO THE CLAIMED PLACE OF USE LOCATED IN SEC 13 T06N R20W. SEE CLAIM FILE FOR DOCUMENTATION. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151503-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners:** 

JACK R BARNINGS 568 GRAY FOX LN CORVALLIS, MT 59828

ARIELLE J BUMBARGER %TONYA D BUMBARGER, CUSTODIAN PO BOX 670 CORVALLIS, MT 59828

GARY CHILCOTT 2507 MUIRFIELD COURT MISSOULA, MT 59808

WILLIAM B KEMP 1250 HAMILTON HTS RD CORVALLIS, MT 59828

MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS PO BOX 200701 HELENA, MT 59620 0701

SIX DEGREES LLC 568 GRAY FOX LN CORVALLIS, MT 59828

VIRGINIA L ELDRIDGE 1138 HAMILTON HEIGHTS RD CORVALLIS, MT 59828

ANGELA B WETZSTEON 493 RYANS WAY CORVALLIS, MT 59828 9258

NORTHWESTERN CORPORATION % LANDS & PERMITTING DEPT 40 E BROADWAY ST BUTTE, MT 59701 9350 DECEMBER 4, 2015 76H 151503-00 Page 2 of 4

> STEELE, ROBERT W & LAURA L TRUST 20542 BRADGATE LN STRONGSVILLE, OH 44149 6778

CORY A WETZSTEON 493 RYANS WAY CORVALLIS, MT 59828 9258

FAITH A KEMP 1250 HAMILTON HTS RD CORVALLIS, MT 59828

PAUL ELDRIDGE 1138 HAMILTON HEIGHTS RD CORVALLIS, MT 59828

DEBORAH R CLISE-KERR 758 STONE CREEK LOOP CORVALLIS, MT 59828 9335

AMANDA L BARNINGS 568 GRAY FOX LN CORVALLIS, MT 59828

Priority Date: JULY 1, 1858

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 280.50 GPM

**\*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: 255.00

*Source Name:	WILLOW CREEK			
Source Type:	SURFACE WATER			

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>	
1		NWSENW	8	6N	19W	RAVALLI	
Period of Diversion	Period of Diversion: JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b>	Means: HEADGATE						
Ditch Name:	WILLOW CREEK LOW DITCH						
2		NWSWNE	9	6N	19W	RAVALLI	
Period of Diversion: JANUARY 1 TO DECEMBER 31							
<b>Diversion Means:</b>	rsion Means: HEADGATE						
Ditch Name:	WILLOW CREEK HIGH DITCH						
Period of Use:	JANUARY 1	TO DECEMBE	ER 31				

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#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	20.00		NWNE	18	6N	19W	RAVALLI
2	40.00		NENW	18	6N	19W	RAVALLI
3	35.00		SENW	18	6N	19W	RAVALLI
4	40.00		NENE	13	6N	20W	RAVALLI
5	40.00		SENE	13	6N	20W	RAVALLI
6	40.00		SWNE	13	6N	20W	RAVALLI
7	40.00		NESE	13	6N	20W	RAVALLI
Total:	255.00						

#### **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.

151499-00 151502-00 151503-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151503-00 151504-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 50 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 40346-00, 40347-00, 151503-00, 151504-00, 151621-00.

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 103888-00, 147779-00, 151499-00, 151502-00, 151503-00, 151619-00, 151620-00, 151621-00.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 1 TO OCTOBER 31.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 167.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 179-144 , DATED 08/02/1979 , APPEARS TO INDICATE 162.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AS PER A DEED RECORDED IN BOOK 126, PAGE 406, RAVALLI COUNTY, WATER RIGHTS APPEAR TO HAVE BEEN SEVERED FROM THE FOLLOWING LEGAL LAND DESCRIPTION: NE, SE, E2 SEC 13 T06N R20W.

AS PER A DEED RECORDED IN BOOK 133, PAGE 680, RAVALLI COUNTY, WATER RIGHTS APPEAR TO HAVE BEEN SEVERED FROM THE FOLLOWING LEGAL LAND DESCRIPTION: SW, NE, W2 SEC 13 T06N R20W (15.00 ACRES).

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AS PER A DEED RECORDED IN BOOK 165, PAGE 565, RAVALLI COUNTY, WATER RIGHTS APPEAR TO HAVE BEEN SEVERED FROM THE FOLLOWING LEGAL LAND DESCRIPTION: SE, E2 SEC 13 T06N R20W.

A PORTION OF THE CLAIMED PLACE OF USE DESCRIBED IN A DEED RECORDED IN BOOK 129, PAGE 950, RAVALLI COUNTY WAS SOLD BY THE ORIGINAL CLAIMANT PRIOR TO JULY 1, 1973.

THIS CLAIM IS BASED ON THE JOHN D. FORSYTH DECREED RIGHT IN CASE NO. 931 WHICH WAS ORIGINALLY DECREED TO THE E2NW, NE, N2SE SEC 10 T6N R20W RAVALLI COUNTY. HOWEVER, DOCUMENTATION INDICATES THAT THIS RIGHT WAS SEVERED FROM ISTS HISTORIC PLACE OF USE AND RELOCATED TO THE PLACE OF USE IN SEC 13 T6N R20W. SEE CLAIM FILE FOR DOCUMENTATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151504-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	VIRGINIA L ELDRIDGE 1138 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	GARY_CHILCOTT 2507 MUIRFIELD COURT MISSOULA, MT 59808
	PAUL_ELDRIDGE 1138 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
<b>Priority Date:</b>	JULY 1, 1858
Type of Historical Right	DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NWSENW	<u>Sec</u> 8	<u>Twp</u> 6N	<u>Rge</u> 19W	<u>County</u> RAVALLI	
-	d of Diversior	: JANUARY 1		•	0.1			
Diver	sion Means:	HEADGATE						
Ditch	Ditch Name: WILLOW CREEK LOW DITCH							
2			NWSWNE	9	6N	19W	RAVALLI	
Perio	Period of Diversion: JANUARY 1 TO DECEMBER 1							
Diver	Diversion Means: HEADGATE							
Ditch Name: WILLOW CREEK HIGH DITCH								
Period of	Use:	JANUARY 1 T	O DECEMBE	ER 1				
Place of Use:								
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>	
1			NENE	13	6N	20W	RAVALLI	
2			SENE	13	6N	20W	RAVALLI	
3			SWNE	13	6N	20W	RAVALLI	

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151503-00 151504-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 50 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 40346-00, 40347-00, 151503-00, 151504-00, 151621-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151504-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151519-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	SEAN J ROE 883 CAPTIVATING WAY STEVENSVILLE, MT 59870				
	NEWLAND AND CO PST PO BOX 3006 BUTTE, MT 59701				
Priority Date:	OCTOBER 10, 1899				
*Type of Historical Right	FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
*Flow Rate:	170.00 GPM				
	THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Area	: 3 - MODERATE				
Maximum Acres:	10.00				
Source Name:	THREEMILE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCounty4NWNWNW49N19WRAVALLI				
Period of Diversion Diversion Means: Subdivision:	: MAY 1 TO SEPTEMBER 15 HEADGATE SUNNYSIDE ORCHARDS NO 4 TRACT/LOT: 1 BLOCK: 20				

DECEMBER 4, 2015 76H 151519-00 Page 2 of 2

Period of Use: MAY 1 TO SEPTEMBER 15

Place of Use:

<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	Sec	Twp	Rge	Coun	ty	
1	10.00		S2NENE	5	9N	19W	RAVA	ALLI	
	Subdivision:	SUNNYSIDE (	ORCHARDS	NO 4	TRAC	CT/LOT	:29	3LOCK: 1	7
Total:	10.00								

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/18/2014, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES E LOCKWOOD JR, ELIZABETH WIESER AND CARL PIEHLER, JEFF & STACEY DARRAH.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON THREEMILE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 283 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151521-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	JAMES L CLOUD 139 JUNIPER WAY STEVENSVILLE, MT 59870 6546			
	CARI ANN CLOUD 2824 HIGHWAY 93 VICTOR, MT 59875			
Priority Date:	JUNE 10, 1907			
Type of Historical Right	FILED			
Purpose(use):	IRRIGATION			
Irrigation Type:	SPRINKLER/FLOOD			
*Flow Rate:	385.97 GPM			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Areas	3 - MODERATE			
*Maximum Acres:	22.86			
*Source Name:	UNNAMED TRIBUTARY OF BIG CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySENESW178N20WRAVALLI			
*Period of Diversion Diversion Means: Ditch Name:	: MARCH 31 TO NOVEMBER 30 HEADGATE RIVER DITCH			
*Period of Use:	MARCH 31 TO NOVEMBER 30			

DECEMBER 4, 2015 76H 151521-00 Page 2 of 2

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	6.00		NESE	5	8N	20W	RAVALLI
2	16.86		NWSE	5	8N	20W	RAVALLI
Total:	22.86						

#### 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.

150256-00 151521-00 151522-00

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

SPLIT CLAIM NO. 30003647 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM WILL BE INCLUDED IN THE BASIN 76HA DECREE EVEN THOUGH IT IS A BASIN 76HF CLAIM. CLAIM WAS MISSED IN DECREE DURING PROCEEDINGS OF SUB-BASIN 76HF.

CLAIM WAS NOT INCLUDED IN THE BASIN 76HF PRELIMINARY DECREE ISSUED 1/14/1998.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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Water Right Number:	76H 151534-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	MERLE D LLOYD 1034 HAMILTON HEIGHTS CORVALLIS, MT 59828					
	ANNA P LLOYD 1034 HAMILTON HEIGHTS CORVALLIS, MT 59828					
*Priority Date:	JUNE 1, 1862					
Type of Historical Right	DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	SPRINKLER					
Flow Rate:	16.00 GPM					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area	: 3 - MODERATE					
Maximum Acres:	1.00					
*Source Name:	WILLOW CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> 1	Govt Lot Qtr Sec Sec Twp Rge County					
	SWSWNE 7 6N 19W RAVALLI : MAY 15 TO SEPTEMBER 20					
Diversion Means:	HEADGATE					
Ditch Name:	ROCK DITCH					
Period of Use:	MAY 15 TO SEPTEMBER 20					

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	1.00		S2SWNW	13	6N	20W RAVALLI
Total:	1.00					

#### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151538-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CHESTER S MOWERY 246 S COOPER LN HAMILTON, MT 59840
	WESLEY CRATTY 404 COOPER LN HAMILTON, MT 59840 3300
	BRUCE A TRAMS 412 COOPER LN HAMILTON, MT 59840
	NORMA_TRAMS 412 COOPER LN HAMILTON, MT 59840
	DIANE OLSEN 404 COOPER LN HAMILTON, MT 59840 3300
*Priority Date:	MAY 1, 1872
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	224.40 GPM
*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:	1.40
*Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER

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\*Point of Diversion and Means of Diversion:

. LOIIII	of Diversion and N	leans of Diversio	11.				
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> NENENW	<u>Sec</u> 7	<u>Twp</u> 5N		<u>County</u> RAVALLI
F	Period of Diversion:	JULY 1 TO SE	PTEMBER	30			
Ι	Diversion Means:	HEADGATE					
Γ	Ditch Name:	REPUBLICAN	DITCH				
2 - 3	SECONDARY		NENESW	6	5N	20W	RAVALLI
F	Period of Diversion:	JULY 1 TO SE	PTEMBER	30			
	Diversion Means: Ditch Name:	HEADGATE NICOL-HART I	ATERAL				
		WATER FROM				S CON	VEYED THROUGH NICOL-HART
		POINT WHERI CLAIM IS PAR EXCHANGE. V WATER FROM LINE (SWSWN R20W). THE E PETITION FOR DISTRICT IN F	E THE REP T OF THE S VATER FRO I SKALKAH JE SEC 30 XCHANGEI XCHANGEI RORGANIZ RAVALLI CC URTH JUDI	UBLIC SKALK OM TH O CRE T5N R D WAT ATION OUNTY CIAL I	AN DIT AHO C E BITT EEK TH 19W) A FER RE N AND I 7, TO B DISTRI	CH IN REEK ERROU IAT IS ND W ELATIO ESTAB E KNO CT IN A	I IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Perio	d of Use:	JULY 1 TO SEI	PTEMBER 3	30			
*Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	1.00 Subdivision:	LINNDALE AD	NENWNW D TRACT/	6 /LOT: 4	5N 48-49	20W	RAVALLI
2	0.40 Subdivision:	LINNDALE AD	SESWSW D TRACT/	31 ′LOT: 4	6N 45-47	20W	RAVALLI

Total:

1.40

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 36 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5900-00, 6212-00, 9738-00, 9780-00, 15482-00, 15487-00, 21148-00, 100535-00, 107345-00, 108936-00, 108950-00, 108951-00, 109607-00, 118394-00, 147608-00, 147883-00, 147884-00, 150938-00, 151001-00, 151538-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 160.00 GPM PER ACRE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/02/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HEATHER M. MENNING AND AARON M. RILEY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151574-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	ETNA DITCH CO, INC. % JACK PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870			
Priority Date:	MARCH 1, 1871			
	SEVERAL DECREED WATER RIGHTS WITH THE SAME PRIORITY DATE AND POINT OF DIVERSION WERE COMBINED UNDER THIS ONE RIGHT. THE PRIVATELY HELD WATER RIGHTS WERE WITHDRAWN.			
Type of Historical Right	: DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	SPRINKLER/FLOOD			
Flow Rate:	38.63 CFS			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Areas	2 - MODERATELY HIGH			
Maximum Acres:	1,100.00			
*Source Name:	BITTERROOT RIVER			
Source Type:	SURFACE WATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNWSE 8 7N 20W RAVALLI			
	: MAY 1 TO OCTOBER 31			
Diversion Means: Ditch Name:	HEADGATE MITCHELL SLOUGH (TUCKER HEADGATE)			

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\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
2 - SECONDARY		NENESW	4	7N	20W	RAVALLI
Period of Diversion	: MAY 1 TO OC	TOBER 31				
<b>Diversion Means:</b>	HEADGATE					
<b>Ditch Name:</b>	ETNA DITCH					
	SLOUGH WH	ICH IS USEI	D AS A	A NATU	IRAL C	T RIVER IS CONVEYED TO MITCHELL ARRIER TO A SECONDARY POINT OF NRGE 20W RAVALLI COUNTY.

MAY 1 TO OCTOBER 31 **Period of Use:** 

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	40.00			3	7N	20W	RAVALLI
2	320.00			4	7N	20W	RAVALLI
3	150.00			5	7N	20W	RAVALLI
4	60.00			8	7N	20W	RAVALLI
5	25.00			9	7N	20W	RAVALLI
6	270.00			20	8N	20W	RAVALLI
7	480.00			21	8N	20W	RAVALLI
8	480.00			22	8N	20W	RAVALLI
9	30.00		E2E2	23	8N	20W	RAVALLI
10	420.00			27	8N	20W	RAVALLI
11	640.00			28	8N	20W	RAVALLI
12	320.00			29	8N	20W	RAVALLI
13	170.00			32	8N	20W	RAVALLI
14	640.00			33	8N	20W	RAVALLI
15	270.00			34	8N	20W	RAVALLI
Total:	4,315.00						

ONLY 1100.00 ACRES ARE IRRIGATED DURING ANY GIVEN IRRIGATION SEASON WITHIN THE 4190.00 ACRES DESCRIBED UNDER THIS RIGHT. SEVERAL RIGHTS WERE COMBINED INTO THIS RIGHT, AND THE PLACE OF USE WAS EXPANDED TO INCLUDE THEM. THE COMBINED WATER RIGHTS ARE 76H 3581-00, 76H 4078-00, 76H 6030-00, 76H 6033-00, 76H 8538-00, 76H 15967-00, 76H 31042-00, 76H 31072-00, 76H 104965-00, 76H 111270-00, 76H 151575-00. THOSE RIGHTS WERE THEN WITHDRAWN.

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151574-00 151581-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/13/2008: FLOW RATE, MAXIMUM ACRES, PERIOD OF USE, PLACE OF USE.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED 08/13/2008 TO AMEND THE FLOW RATE, MAXIMUM ACRES, PERIOD OF USE, AND PLACE OF USE . THE AMENDMENT SUBSTANTIALLY CHANGES THE ORIGINALLY FILED STATEMENT OF CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 70 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 104912-00, 108748-00, 108749-00, 151574-00, 151581-00, 214450-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 300 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 136824-00, 136844-00, 151574-00, 151581-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 360 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 107708-00, 151574-00, 151581-00, 214450-00.

THIS CLAIM, AS AMENDED, DOES NOT APPEAR TO REFLECT THE COMBINED WATER RIGHTS AS THEY EXISTED BEFORE JULY 1, 1973. INFORMATION AVAILABLE INDICATES THE PRE-JULY 1, 1973 PLACE OF USE WAS ONLY IN PARTS OF SECTIONS 22, 23, 27, 28, 33 AND 34, T8N, R20W, RAVALLI COUNTY. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 1515	7 <b>5-00</b> S	STATEMENT OF CLAIM				
	Version:		GINAL RIGHT				
		Status:	WITHDRAWN				
Owners:	ETNA DITO % JACK P 2685 EAS	FAU					
	STEVENSVILLE, MT 59870						
Priority Date:							
Enforceable Price	ority Date:						
Type of Historical Right	•						
Purpose (use):	IRRIGATIO	N					
Flow Rate:							
Volume:							
Source Name:	BITTERRC	OOT RIVE	R				
Point of Diversion and N	<b>Means of Div</b>	ersion:					
Period of Use:							
Place of Use:							

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 08/29/2008.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151576-00 STATEMENT OF CLAIM							
	Version: 1 ORIGINAL RIGHT							
	Status: ACTIVE							
Owners:	JACK A PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870							
	LINDA K PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870							
Priority Date:	APRIL 26, 1945							
Type of Historical Right:	USE							
Purpose(use):	IRRIGATION							
Irrigation Type:	FLOOD							
*Flow Rate:	2.46 CFS							
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.							
*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:	65.00							
Source Name: Source Type:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER SURFACE WATER ALSO KNOWN AS BIRCH CREEK DRAIN DITCH							
Point of Diversion and M ID 1 Period of Diversion Diversion Means:	Teans of Diversion: <u>Govt Lot</u> SENESE 28 8N 20W RAVALLI : MAY 1 TO OCTOBER 1 DIKE							

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Point of Diversion and Means of Diversion:

<u>ID</u> 2	ID Govt Lot		<u>Qtr Sec</u> SWNESE	<u>Sec</u> 28	<u>Twp</u> 8N	<u>Rge</u> 20W	<u>County</u> RAVALLI
_	riod of Diversion			20		2000	KAVALLI
Di <sup>.</sup> 3	version Means:	DIKE	SESESE	28	8N	20W	RAVALLI
Period of Diversion: MAY 1 TO OCTOBER 1							
Period	version Means: of Use:	DIKE MAY 1 TO OC <sup>-</sup>	TOBER 1				
Place of	f Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	65.00		E2E2	28	8N	20W	RAVALLI
Total:	65.00						

#### 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.

151576-00 151577-00 151578-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151576-00 152032-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/23/2014: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151576-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151577-00 STATEMENT OF CLAIM							
	Version: 1 ORIGINAL RIGHT							
	Status: ACTIVE							
Owners:	LINDA K PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870							
	JACK A PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870							
<b>*Priority Date:</b>	DECEMBER 31, 1949							
Type of Historical Right	USE							
Purpose(use):	IRRIGATION							
Irrigation Type:	FLOOD							
*Flow Rate:	119.00 GPM							
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.							
*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:	7.00							
Source Name: Source Type:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER SURFACE WATER ALSO KNOWN AS LANCASTER SLOUGH							
Point of Diversion and N	Aeans of Diversion.							
$\frac{\mathbf{ID}}{1}$	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNESE 28 8N 20W RAVALLI							
Period of Diversion	: MAY 1 TO OCTOBER 1							
<b>Diversion Means:</b>	DRAIN DITCH							
Period of Use:	MAY 1 TO OCTOBER 1							

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#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	3.50		SWSENE	28	8N	20W	RAVALLI
2	3.50		NWNESE	28	8N	20W	RAVALLI
Total:	7.00						

#### 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.

151576-00 151577-00 151578-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151577-00 151582-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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Water Right Number:	76H 151578-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JACK A PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870
	JAMES L PFAU 2363 NOBLE CT STEVENSVILLE, MT 59870 6993
	LINDA K PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870
Priority Date:	JUNE 14, 1942
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	4.00 CFS
*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:	250.00
*Source Name: Source Type:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER SURFACE WATER
*Point of Diversion and I	Manns of Diversion.
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNESW 4 7N 20W RAVALLI
Period of Diversion Diversion Means:	HEADGATE

		WATER FROM HUMBLE DRAIN DIVERTED TO WOOD DITCH, TO ETNA DITCH, THEN TO BIRCH CREEK DRAIN TO THE PLACE OF USE								
Period of	Use:	MAY 1 TO OCTOBER 1								
*Place of U	se:									
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County			
1	80.00		S2NW	27	8N	20W	RAVALLI			
2	4.00		NWSE	27	8N	20W	RAVALLI			
3	80.00		N2SW	27	8N	20W	RAVALLI			
4	86.00		E2E2	28	8N	20W	RAVALLI			
Total:	250.00									

#### **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.

151576-00 151577-00 151578-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151578-00 151579-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151578-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151579-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JAMES L PFAU 2363 NOBLE CT STEVENSVILLE, MT 59870 6993
	JACK A PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870
	LINDA K PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870
Priority Date:	JUNE 14, 1942
Type of Historical Right	: FILED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER
Source Type:	SURFACE WATER
	ALSO KNOWN AS MITCHELL SLOUGH

DECEMBER 4, 2015 76H 151579-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		SWNWSE	27	7N	20W	RAVALLI
Period of Diversion	: MAY 1 TO OC	CTOBER 1				
<b>Diversion Means:</b>	HEADGATE					
2		NESENE	4	8N	20W	RAVALLI
Period of Diversion	: MAY 1 TO OC	CTOBER 1				
<b>Diversion Means:</b>	HEADGATE					
Period of Use:	MAY 1 TO OC	TOBER 1				
*Place of Use:						

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1			S2NW	27	8N	20W	RAVALLI
2			NWSE	27	8N	20W	RAVALLI
3			N2SW	27	8N	20W	RAVALLI
4			E2E2	28	8N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151578-00 151579-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

POINT OF DIVERSION #1 APPEARS TO BE INCORRECT. POINT OF DIVERSION #1 APPEARS TO BE IN THE NWNENW SEC 9 TWP 7N RGE 20W RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151579-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 15158	30-00	STA	TEMENT OF CLAIM
	Version:	1 OF Status		AL RIGHT WITHDRAWN
Owners:	ETNA DITO % JACK PI 2685 EAST STEVENS	CH CO, FAU TSIDE H	INC.	
Priority Date:				
Enforceable Price	ority Date:			
Type of Historical Right	:			
Purpose (use):	STOCK			
Flow Rate:				
Volume:				
Source Name:	BITTERRC	OT RIV	/ER	
Point of Diversion and N	leans of Dive	ersion:		
Period of Use:				
Place of Use:				

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 08/29/2008.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

Ditch Name:

ETNA DITCH

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 15158	1-00	STATE	MENT	OF CL	AIM	
	Version:	1 OR	IGINAL	RIGH	Т		
		Status:	A	CTIVE			
Owners:	ETNA DITC % JACK PF 2685 EAST STEVENS\	AU SIDE H	WY	70			
<b>Priority Date:</b>	MARCH 1,	1871					
Type of Historical Right	: DECREED						
Purpose(use):	STOCK						
*Flow Rate:	CONSISTS DITCH SYS	OF STO TEM. 1	OCK DI THE FL	RINKIN OW R	IG DIR ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.						
*Source Name:	BITTERRO	OT RIV	ER				
Source Type:	SURF	ACE W	ATER				
*Point of Diversion and I	Means of Dive	ersion:					
<u>ID</u> 1	<u>Govt Lot</u>	_	<u>)tr Sec</u> NWSE	<u>Sec</u> 8	<u>Twp</u> 7N		<u>County</u> RAVALLI
Period of Diversion	: JANUARY	1 TO DI	ECEMB	BER 31			
<b>Diversion Means:</b>	HEADGAT						
Ditch Name:	MITCHELL		•			,	
2 - SECONDARY			NESW	4	7N	20W	RAVALLI
Period of Diversion			ECEMB	BER 31			
<b>Diversion Means:</b>	HEADGAT	E					

WATER DIVERTED FROM THE BITTERROOT RIVER IS CONVEYED TO MITCHELL SLOUGH WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NENESW SEC 4 TWP 7N RGE 20W RAVALLI COUNTY.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u> <u>Acres</u> <u>Govt Lot</u> <u>Qtr Se</u>	<u>ec</u> <u>Sec</u>	Twp	Rge	<b>County</b>
1	3	7N	20W	RAVALLI
2	4	7N	20W	RAVALLI
3	5	7N	20W	RAVALLI
4	8	7N	20W	RAVALLI
5	9	7N	20W	RAVALLI
6	20	8N	20W	RAVALLI
7	21	8N	20W	RAVALLI
8	22	8N	20W	RAVALLI
9 E2E	2 23	8N	20W	RAVALLI
10	27	8N	20W	RAVALLI
11	28	8N	20W	RAVALLI
12	29	8N	20W	RAVALLI
13	32	8N	20W	RAVALLI
14	33	8N	20W	RAVALLI
15	34	8N	20W	RAVALLI

TWO OTHER WATER RIGHTS WERE COMBINED INTO THIS RIGHT, AND THE PLACE OF USE WAS EXPANDED TO INCLUDE THEM. THE COMBINED WATER RIGHTS ARE: 15968-00, 151580-00, 151581-00. THE OTHER PRIVATELY HELD WATER RIGHTS WERE THEN WITHDRAWN.

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151574-00 151581-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED 08/13/2008 TO AMEND THE FLOW RATE, MAXIMUM ACRES, PERIOD OF USE, AND PLACE OF USE . THE AMENDMENT SUBSTANTIALLY CHANGES THE ORIGINALLY FILED STATEMENT OF CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 360 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 107708-00, 151574-00, 151581-00, 214450-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 70 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 104912-00, 108748-00, 108749-00, 151574-00, 151581-00, 214450-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 300 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 136824-00, 136844-00, 151574-00, 151581-00.

THIS CLAIM, AS AMENDED, DOES NOT APPEAR TO REFLECT THE COMBINED WATER RIGHTS AS THEY WERE BEFORE JULY 1, 1973. INFORMATION AVAILABLE INDICATES THE PRE-JULY 1, 1973 PLACE OF USE WAS ONLY IN PARTS OF SECTIONS 22, 23, 27, 28, 33 AND 34, T8NR20W, RAVALLI COUNTY. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151582-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	LINDA K PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870			
	JACK A PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870			
<b>*Priority Date:</b>	DECEMBER 31, 1949			
Type of Historical Right	: USE			
Purpose(use):	STOCK			
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.			
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.			
Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER			
Source Type:	SURFACE WATER			
	ALSO KNOWN AS LANCASTER SLOUGH			
Point of Diversion and Means of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESE288N20WRAVALLI			
Period of Diversion Diversion Means:	a: MAY 1 TO OCTOBER 1 DRAIN DITCH			
Period of Use:	MAY 1 TO OCTOBER 1			

DECEMBER 4, 2015 76H 151582-00 Page 2 of 2

#### C

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1			SENE	28	8N	20W	RAVALLI
2			W2NESE	28	8N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151577-00 151582-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151592-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	DON MISEVIC 650 HOLLIBAUGH RD PO BOX 514 STEVENSVILLE, MT 59870			
Priority Date:	MAY 10, 1886			
Type of Historical Right:	DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
Flow Rate:	3.00 CFS			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Area: 3 - MODERATE				
*Maximum Acres:	146.00			
Source Name:	BURNT FORK CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENENE 25 9N 20W RAVALLI			
Period of Diversion Diversion Means: Ditch Name:	: APRIL 1 TO OCTOBER 31 HEADGATE WOOD DITCH (HEADGATE 27)			
Period of Use:	APRIL 1 TO OCTOBER 31			

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	3.54		SWSWNE	24	9N	20W	RAVALLI
2	39.72		E2NW	24	9N	20W	RAVALLI
3	69.24		W2NW	24	9N	20W	RAVALLI
4	1.20		SWNESE	24	9N	20W	RAVALLI
5	32.30		NWSE	24	9N	20W	RAVALLI
Total:	146.00						

#### 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.

151592-00 151593-00 151594-00

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

ON 02/11/2015 SANDRA MEWES-KIBLER AND CHARLES KIBLER FILED A REQUEST TO WITHDRAW OWNERSHIP INTEREST IN THIS CLAIM. THE FOLLOWING ELEMENTS WERE REDUCED BASED UPON THIS REQUEST AND THE AGREEMENT OF ALL REMAINING CO-OWNERS: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED IN CASE NO. 556 , RAVALLI COUNTY, IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151593-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	DON MISEVIC 650 HOLLIBAUGH RD PO BOX 514 STEVENSVILLE, MT 59870			
Priority Date:	APRIL 25, 1884			
Type of Historical Right:	DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
Flow Rate:	336.60 GPM			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Area: 3 - MODERATE				
*Maximum Acres:	146.00			
Source Name:	BURNT FORK CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySENENE259N20WRAVALLI			
	: APRIL 1 TO OCTOBER 31			
Diversion Means: Ditch Name:	HEADGATE WOOD DITCH (HEADGATE 27)			
Period of Use:	APRIL 1 TO OCTOBER 31			

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	3.54		SWSWNE	24	9N	20W	RAVALLI
2	39.72		E2NW	24	9N	20W	RAVALLI
3	69.24		W2NW	24	9N	20W	RAVALLI
4	1.20		SWNESE	24	9N	20W	RAVALLI
5	32.30		NWSE	24	9N	20W	RAVALLI
Total:	146.00						

#### 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.

151592-00 151593-00 151594-00

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

ON 02/11/2015 SANDRA MEWES-KIBLER AND CHARLES KIBLER FILED A REQUEST TO WITHDRAW OWNERSHIP INTEREST IN THIS CLAIM. THE FOLLOWING ELEMENTS WERE REDUCED BASED UPON THIS REQUEST AND THE AGREEMENT OF ALL REMAINING CO-OWNERS: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED IN CASE NO. 556 , RAVALLI COUNTY, IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151594-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	DON MISEVIC 650 HOLLIBAUGH RD PO BOX 514 STEVENSVILLE, MT 59870			
Priority Date:	APRIL 5, 1882			
Type of Historical Right	: DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
Flow Rate:	399.43 GPM			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Area: 3 - MODERATE				
*Maximum Acres:	146.00			
Source Name:	BURNT FORK CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENENE 25 9N 20W RAVALLI			
Period of Diversion Diversion Means: Ditch Name:	: APRIL 1 TO OCTOBER 31 HEADGATE WOOD DITCH (HEADGATE 27)			
Period of Use:	APRIL 1 TO OCTOBER 31			

### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	3.54		SWSWNE	24	9N	20W	RAVALLI
2	39.72		E2NW	24	9N	20W	RAVALLI
3	69.24		W2NW	24	9N	20W	RAVALLI
4	1.20		SWNESE	24	9N	20W	RAVALLI
5	32.30		NWSE	24	9N	20W	RAVALLI
Total:	146.00						

### 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.

151592-00 151593-00 151594-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151594-00 151595-00

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

ON 02/11/2015 SANDRA MEWES-KIBLER AND CHARLES KIBLER FILED A REQUEST TO WITHDRAW OWNERSHIP INTEREST IN THIS CLAIM. THE FOLLOWING ELEMENTS WERE REDUCED BASED UPON THIS REQUEST AND THE AGREEMENT OF ALL REMAINING CO-OWNERS: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED IN CASE NO. 556 , RAVALLI COUNTY, IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151594-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151595-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	DON MISEVIC 650 HOLLIBAUGH RD PO BOX 514 STEVENSVILLE, MT 59870					
<b>Priority Date:</b>	APRIL 5, 1882					
Type of Historical Right	t: DECREED					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
*Source Name:	BURNT FORK CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and I	Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySENENE259N20WRAVALLI					
	a: JANUARY 1 TO DECEMBER 31					
Diversion Means: Ditch Name:	HEADGATE WOOD DITCH (HEADGATE 27)					

Period of Use: JANUARY 1 TO DECEMBER 31

### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1			NWNW	24	9N	20W	RAVALLI
2			SENW	24	9N	20W	RAVALLI
3			SWNW	24	9N	20W	RAVALLI
4			NWSE	24	9N	20W	RAVALLI

### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151594-00 151595-00

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

ON 02/11/2015 SANDRA MEWES-KIBLER AND CHARLES KIBLER FILED A REQUEST TO WITHDRAW OWNERSHIP INTEREST IN THIS CLAIM. THE FOLLOWING ELEMENTS WERE REDUCED BASED UPON THIS REQUEST AND THE AGREEMENT OF ALL REMAINING CO-OWNERS: (NO SPECIFIC ELEMENTS WERE REDUCED)

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED IN CASE NO. 556 , RAVALLI COUNTY, IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	76H 151609-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	RICHARD W ALBRIGHT 107 MOLES LN DARBY, MT 59829
	CONNIE S ALBRIGHT 107 MOLES LN DARBY, MT 59829
	HENRY E BUTLER PO BOX 518 DARBY, MT 59829
	LENORA M SKROCH PO BOX 518 DARBY, MT 59829 0518
	OWNER LENORA SKROCH RETAINED. CONTRACT FOR DEED INTEREST. OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
*Priority Date:	DECEMBER 31, 1952
Type of Historical Right	t: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

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*Source Name: Source Type:	BITTERROC SURFA	OT RIVER CE WATER				
*Point of Diversion and	Means of Diver	sion:				
<u>ID</u> 1	<u>Govt Lot</u> 2	<u>Qtr Sec</u> SENENW	<u>Sec</u> 14	<u>Тwp</u> ЗN	<u>Rge</u> 21W	<u>County</u> RAVALLI
Period of Diversion	on: MAY 1 TO C	CTOBER 1				
<b>Diversion Means:</b>	HEADGATE	HEADGATE				
Ditch Name:	OVERTURF	OVERTURF DITCH				
Period of Use:	MAY 1 TO O	MAY 1 TO OCTOBER 1				
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		W2SWSW	2	3N	21W	RAVALLI

### **Remarks:**

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BITTERROOT RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 1287 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151610-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	LINDSEY_ASHMORE PO BOX 646 STEVENSVILLE, MT 59870					
Priority Date:	JUNE 1, 1858					
Type of Historical Right	: DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	5.83 GPM					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area	: 3 - MODERATE					
Maximum Acres:	5.24					
*Source Name:	ROBERTSON CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and N	Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWNWNW369N20WRAVALLI					
Period of Diversion	: APRIL 15 TO OCTOBER 15					
<b>Diversion Means:</b>						
Ditch Name:	BROWN-TANGMO-HAUPT DITCH (HEADGATE 92A)					
Period of Use:	APRIL 15 TO OCTOBER 15					
*Place of Use:						
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u> <u>Qtr Sec Sec Twp</u> <u>Rge County</u>					
1 5.24 Subdivision:	SESENW 35 9N 20W RAVALLI BELVUE TRACTS TRACT/LOT: 9					

### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
Total:	5.24						

### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 100 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 2083-00, 3584-00, 9789-00, 9790-00, 49036-00, 111285-00, 116701-00, 116702-00, 116721-00, 116722-00, 131642-00, 131643-00, 150081-00, 150082-00, 151023-00, 151610-00, 212304-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151611-00 STATEMENT OF CLAIM					
	Version: 1	ORIGINAL	RIGH	Т		
	St	tatus: A	CTIVE			
Owners:	SLEEPING CHILD SCHOOL HAMILTON SCHOOL DIST 3 217 DALY AVE HAMILTON, MT 59840					
<b>Priority Date:</b>	MAY 10, 1910	)				
Type of Historical Right	: USE					
*Purpose(use):	INSTITUTION	AL				
<b>Purpose Clarification</b>	n: SLEEPING	CHILD SCH	OOL			
Flow Rate:	10.00 GPM					
Volume:	1.00 AC-FT					
Source Name:	GROUNDWA	TER				
Source Type:	GROUN	DWATER				
Point of Diversion and N	Means of Diversi	ion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NENENW	<u>Sec</u> 32	<u>Twp</u> 5N		<u>County</u> RAVALLI
*Period of Diversion	: JANUARY 1	TO DECEMB	ER 31			
Diversion Means: WELL						
*Period of Use:	JANUARY 1 T	O DECEMBE	ER 31			
Place of Use:						
ID <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		NENENW	32	5N	20W	RAVALLI

**Remarks:** 

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/15/1992: FLOW RATE, VOLUME.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 08/14/2013 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SLEEPING CHILD PLANNING GROUP.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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Water Right Number:	76H 151612-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JEREMY C POTTER 1729 SUTHERLAND LN CORVALLIS, MT 59828 9678
	RACHEL R POTTER 1729 SUTHERLAND LN CORVALLIS, MT 59828 9678
	DANA L KELLER 1733 SUTHERLAND LN CORVALLIS, MT 59828
	STEVEN G ZECH 470 ARROW POINT LN HAMILTON, MT 59840 9266 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
*Priority Date:	MARCH 31, 1909
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	42.19 GPM
*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:	20.00
Source Name: Source Type:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER SURFACE WATER

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot Qtr S		<u>Sec</u> 22	<u>Twp</u> 7N	<u>Rge</u> <u>County</u> 20W RAVALLI	
			OCTOBER 15				
Dive	rsion Means:	HEADGATE	=				
Period of	Use:	se: MAY 15 TO OCTOBER 15					
*Place of U	Jse:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>	
1	10.00		S2N2NENW	22	7N	20W RAVALLI	
2	10.00		N2S2NENW	22	7N	20W RAVALLI	
Total:	20.00						

#### **Remarks:**

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# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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. 4055-00, 150895-00, 151612-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/12/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JEREMY C. AND RACHEL R. POTTER.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 04/22/2015, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY DANA L KELLER.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 03/14/2015, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HANG IN THAYER INC.

USDA AERIAL PHOTOGRAPH NO(S). 179-142 , DATED 08/02/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CNR-2P-167 , DATED 08/01/1955 , APPEARS TO INDICATE 11.41 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151612-00 Page 3 of 3

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151613-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JEREMY C POTTER 1729 SUTHERLAND LN CORVALLIS, MT 59828 9678
	RACHEL R POTTER 1729 SUTHERLAND LN CORVALLIS, MT 59828 9678
	JACK E THOMPSON 1741 SUTHERLAND LN CORVALLIS, MT 59828 9678
	LINDA R THOMPSON 1741 SUTHERLAND LN CORVALLIS, MT 59828 9678
	DANA L KELLER 1733 SUTHERLAND LN CORVALLIS, MT 59828
	CLARISSA PATZER 1745 SUTHERLAND LN CORVALLIS, MT 59828
	STEVEN G ZECH 470 ARROW POINT LN HAMILTON, MT 59840 9266
	OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
*Priority Date:	FEBRUARY 27, 1909

Type of Historical Right: FILED

Purpose(use): STOCK

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Page 2 of 3							
*Flow Rate:	:	CONSISTS O DITCH SYSTI	F STOCK DR EM. THE FLO	RINKIN OW R	IG DIR ATE IS	ECTLY	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:		STOCK WAT	ERING PURF . ANIMAL UN	POSES	S AT TH SHALL	HE RAT BE BAS	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER
Source Na	me:	WASTE & SE	EPAGE, UNI	NAME	d trie	BUTAR	Y OF HOLLORON GULCH
Source Type:		SURFAC	CE WATER				
*Point of D	iversion and	Means of Divers	ion:				
<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NESWSE	<u>Sec</u> 22	<u>Тwp</u> 7N		<u>County</u> RAVALLI
Perio	d of Diversio	n: JANUARY 1	TO DECEMB	ER 31			
Diver	sion Means:	DITCH					
Ditch	Name:	MCCULLOCH	I DITCH				
Period of U	U <b>se:</b>	JANUARY 1 1	O DECEMBI	ER 31			
Place of Us	se:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1			NENW	22	7N	20W	RAVALLI
Demerles							

### **Remarks:**

THE SOURCE WAS AMENDED BY THE CLAIMANT ON 04/23/1982.

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

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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. 4054-00, 150887-00, 151613-00, 152044-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/15/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HARRY J BRUNETT.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/12/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JEREMY C & RACHEL R POTTER.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/15/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LAVERN & RHODA MULLET.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 04/22/2015, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY DANA L KELLER.

CLAIM FORM SIGNED BY NOTARY BUT MISSING NOTARY SEAL.  A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151615-00	STATE	MENT OF CL	AIM				
	Version: 1	ORIGINAL	RIGHT					
	Stat	us: AC	CTIVE					
Owners:	LILLIAN M SPE 801 OLD CORV CORVALLIS, M	ALLIS RD	06					
	JOHN W SPER 801 OLD CORV CORVALLIS, M	ALLIS RD	06					
Priority Date:	OCTOBER 10, 2	1957						
Type of Historical Right	: USE							
Purpose(use):	DOMESTIC							
Flow Rate:	20.50 GPM	20.50 GPM						
Volume:	16.00 AC-FT							
Households:	1							
Maximum Acres:	4.00							
*Source Name:	GROUNDWATE	ĒR						
Source Type:	GROUND	NATER						
*Point of Diversion and	Means of Diversior	1:						
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NENWNE	$\frac{\text{Sec}}{7}  \frac{\text{Twp}}{6\text{N}}$	<u>Rge</u> <u>County</u> 20W RAVALLI				
Period of Diversion	<b>1:</b> JANUARY 1 TC	) DECEMBI	ER 31					
<b>Diversion Means:</b>	WELL							
Period of Use:	JANUARY 1 TO	DECEMBE	ER 31					
*Place of Use:								
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u> <u>Twp</u>	<u>Rge</u> <u>County</u>				
1 4.00	I	NENWNE	7 6N	20W RAVALLI				
<b>Total:</b> 4.00								

### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED VOLUME EXCEEDS THE 11 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151618-00 STATEMENT OF CLAIM								
	Version:								
		Status: A	CTIVE						
Owners:	171 GOLF	MYRA GREENUP 171 GOLF COURSE RD HAMILTON, MT 59840							
	171 GOLF	REENUP, JR COURSE RD N, MT 59840							
*Priority Date:	DECEMBE	R 31, 1900							
Type of Historical Right	: USE								
Purpose(use):	COMMER	COMMERCIAL							
Flow Rate:	50.00 GPN	Λ							
Volume:	5.00 AC-F	Т							
Source Name:	GROUND	WATER							
Source Type:	GRO	UNDWATER							
Point of Diversion and M	<b>Means of Div</b>	ersion:							
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> NESWNW	<u>Sec</u> 31	<u>Twp</u> 6N		<u>County</u> RAVALLI			
Period of Diversion	: JANUARY			••••	2011				
<b>Diversion Means:</b>	WELL								
Period of Use:	JANUARY	1 TO DECEMB	ER 31						
Place of Use:									
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>			
1		NESWNW	31	6N	20W	RAVALLI			

### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

COMMERICAL USE IS QUESTIONABLE. THE DECLARATION OF VESTED GROUNDWATER RIGHTS (FORM GW4) LISTS DOMESTIC AND IRRIGATION AS THE PURPOSES.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right N	Number:	76H 151619	9-00 STATE	MENT	OF CL	AIM	
		Version:	1 ORIGINAL	. RIGH	IT		
			Status: A	CTIVE	Ē		
Owners:		20542 BRAI	OBERT W & L/ DGATE LN /ILLE, OH 441/			ST	
Priority Date:	:	JUNE 1, 18	59				
Type of Histor	rical Right	: DECREED					
Purpose(use):		IRRIGATIO	N				
Irrigat	tion Type:	SPRINKLEF	र				
Flow Rate:		131.00 GPN	1				
*Volume:			. VOLUME OF UT TO HISTOI				T SHALL NOT EXCEED THE CIAL USE.
Clin	natic Area	2 - MODER	ATELY HIGH				
Maximum Ac	eres:	21.00					
*Source Name	:	WILLOW C	REEK				
Source Ty	pe:	SURF	ACE WATER				
*Point of Dive	rsion and N	Aeans of Dive	rsion:				
<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NWSENW	<u>Sec</u> 8	<u>Тwp</u> 6N		<u>County</u> RAVALLI
Period of	f Diversion	: APRIL 1 TC	) SEPTEMBER	R 30			
Diversion		HEADGATE	_				
Ditch Na			REEK LOW D	-			
Period of Use	:	APRIL 1 TO	SEPTEMBER	30			
Place of Use:							
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1	11.00		NWNESE	13	6N	20W	RAVALLI
2	10.00		SWNESE	13	6N	20W	RAVALLI

Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
Total:	21.00					

### 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.

147779-00 151619-00 151620-00 151621-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/14/2007: PLACE OF USE, MAXIMUM ACRES.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 120 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 98-00, 40344-00, 148090-00, 148091-00, 151499-00, 151619-00, 214159-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/15/2002, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY NORTHWESTERN CORPORATION.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 147779-00, 151499-00, 151502-00, 151503-00, 151619-00, 151620-00, 151621-00.

THE PRIORITY DATE MAY BE QUESTIONABLE. PER DEED RECORDED IN BOOK 165, PAGE 565, RAVALLI COUNTY, THE SECOND PRIORITY RIGHT ON WILLOW CREEK APPEARS TO HAVE BEEN RESERVED FROM GEOCODE NO. 13-1468-13-3-01-02-0000; BUT GRANTED 30 MINER'S INCHES OF THE FIFTH PRIORITY RIGHT ON WILLOW CREEK, AS DECREED ON 10/01/1864.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151619-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right I	Number:	76H 151620	<b>)-00</b> STATE	MENT	OF CL	AIM	
		Version:	1 ORIGINAL	. RIGH	IT		
			Status: A	CTIVE	=		
Owners:		20542 BRAI	DBERT W & L/ DGATE LN /ILLE, OH 441/			ST	
Priority Date	:	JUNE 1, 186	60				
Type of Histo	rical Right	DECREED					
Purpose(use)	:	IRRIGATIO	N				
Irriga	tion Type:	SPRINKLEF	8				
Flow Rate:		75.00 GPM					
*Volume:			VOLUME OF				T SHALL NOT EXCEED THE CIAL USE.
Clir	natic Area	2 - MODER	ATELY HIGH				
Maximum Ac	eres:	21.00					
*Source Name	:	WILLOW C	REEK				
Source Ty	pe:	SURF	ACE WATER				
*Point of Dive	rsion and N	Aeans of Dive	rsion:				
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> NWSENW	<u>Sec</u> 8	<u>Тwp</u> 6N		<u>County</u> RAVALLI
Period of	f Diversion	: APRIL 1 TC	SEPTEMBER	R 30			
	n Means:	HEADGATE	_				
Ditch Na			REEK LOW D	-			
Period of Use	•	APRIL 1 TO	SEPTEMBER	30			
Place of Use:				~	_	_	-
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	11.00		NWNESE	13	6N		RAVALLI
2	10.00		SWNESE	13	6N	20W	RAVALLI

Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
Total:	21.00					

#### 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.

147779-00 151619-00 151620-00 151621-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/14/2007: PLACE OF USE, MAXIMUM ACRES.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/15/2002, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY NORTHWESTERN CORPORATION.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 147779-00, 151499-00, 151502-00, 151503-00, 151619-00, 151620-00, 151621-00.

THE PRIORITY DATE MAY BE QUESTIONABLE. PER DEED RECORDED IN BOOK 165, PAGE 565, RAVALLI COUNTY, THE THIRD PRIORITY RIGHT ON WILLOW CREEK APPEARS TO HAVE BEEN RESERVED FROM GEOCODE NO. 13-1468-13-3-01-02-0000; BUT GRANTED 30 MINER'S INCHES OF THE FIFTH PRIORITY RIGHT ON WILLOW CREEK, AS DECREED ON 10/01/1864.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right I	Number:	76H 15162	1-00 STATE	MENT	OF CL	AIM	
		Version:	1 ORIGINAL	RIGH	łT		
			Status: A	CTIVE	Ξ		
Owners:		20542 BRA	OBERT W & L DGATE LN VILLE, OH 441			ST	
<b>Priority Date</b>	:	JULY 1, 185	58				
Type of Histo	rical Right	: DECREED					
Purpose(use)	:	IRRIGATIO	N				
Irriga	tion Type:	SPRINKLE	R				
Flow Rate:		75.00 GPM					
*Volume:			L VOLUME OF PUT TO HISTO				T SHALL NOT EXCEED THE CIAL USE.
Clin	natic Area	: 2 - MODER	ATELY HIGH				
Maximum Ac	eres:	21.00					
*Source Name	:	WILLOW C	REEK				
Source Ty	pe:	SURF	ACE WATER				
*Point of Dive	rsion and I	Means of Dive	ersion:				
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> NWSENW	<u>Sec</u> 8	<u>Twp</u> 6N		<u>County</u> RAVALLI
Period o	f Diversion	a: APRIL 1 TO	O SEPTEMBER	R 30			
	n Means:	HEADGAT					
Ditch Na			REEK LOW D	-			
Period of Use	•	APRIL 1 TC	) SEPTEMBER	30			
Place of Use:							
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	11.00		NWNESE	13	6N	20W	RAVALLI
2	10.00		SWNESE	13	6N	20W	RAVALLI

Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
Total:	21.00					

### 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.

147779-00 151619-00 151620-00 151621-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/14/2007: PLACE OF USE, MAXIMUM ACRES.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 50 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 40346-00, 40347-00, 151503-00, 151504-00, 151621-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/15/2002, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY NORTHWESTERN CORPORATION.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 147779-00, 151499-00, 151502-00, 151503-00, 151619-00, 151620-00, 151621-00.

THE PRIORITY DATE MAY BE QUESTIONABLE. PER DEED RECORDED IN BOOK 165, PAGE 565, RAVALLI COUNTY, THE FIRST PRIORITY DATE ON WILLOW CREEK APPEARS TO HAVE BEEN RESERVED FROM GEOCODE NO. 13-1468-13-3-01-02-0000; BUT GRANTED 30 MINER'S INCHES OF THE FIFTH PRIORITY RIGHT ON WILLOW CREEK, AS DECREED ON 10/01/1864.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151621-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151634-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	MAN ENTERPRISES 914 US HWY 93 N VICTOR, MT 59875
	JAMES D MILDENBERGER PO BOX 747 HAMILTON, MT 59840 0747
	TRACEY STONE PO BOX 650043 DALLAS, TX 75265 0043
	CARLANE JENSEN PO BOX 350043 DALLAS, TX 75265 0043
	WILLIAM T REYNOLDS 359 SULLIVAN RD STEVENSVILLE, MT 59870
	RENEE_OERTLI 423 SPEEDWAY AVE MISSOULA, MT 59802 5475
	LOWELL D OLIN PO BOX 1037 HAMILTON, MT 59840
	KARLA M REYNOLDS 359 SULLIVAN RD STEVENSVILLE, MT 59870 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date:

MAY 1, 1898

DECEMBER 4, 2015 76H 151634-00 Page 2 of 3

Type of Hi	istorical Right:	USE							
Purpose(u	ise):	IRRIGATION	RRIGATION						
Irr	igation Type:	FLOOD							
Flow Rate	:	170.54 GPM							
*Volume:		THE TOTAL V AMOUNT PU	•=•=•.		•••••=•	•••••••••••••••••••••••••••••••••••••••	T SHALL NOT EXCEED THE CIAL USE.		
	Climatic Area:	3 - MODERAT	E						
Maximum	Acres:	13.00							
*Source Na	ame:	UNNAMED T	RIBUTARY	OF BIT	TERRO	DOT RI	VER		
Source	e Type:	SURFACE WATER							
	WATER FROM AN UNNAMED TRIBUTARY OF THE BITTERROOT RIVER IS					F THE BITTERROOT RIVER IS			
		EXCHANGED	FOR WATE	R DIV	ERTED	FROM	1 THE SUPPLY DITCH.		
*Point of D	version and N	Ieans of Diversi	ion:						
<u>ID</u>		Govt Lot	<u>Qtr Sec</u>		Twp		County		
1			NWSENW	13	9N	20W	RAVALLI		
Perio	d of Diversion	: APRIL 25 TO	OCTOBER 1	5					
Diver	sion Means:	HEADGATE							
Period of	Use:	APRIL 25 TO	OCTOBER 1	5					
*Place of U	se:								
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County		
1	3.00		N2SENW	13	9N	20W	RAVALLI		
2	10.00		N2SWNW	13	9N	20W	RAVALLI		
Total:	13.00								

### **Remarks:**

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/29/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ANTHONY AND NICOLE FRENCH.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/29/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY TOM AND CONNIE BAUER.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151636-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	WILLIAM D PLUMMER 1074 BIRCH CREEK LOOP CORVALLIS, MT 59828 9547
	JACQUELINE E PLUMMER 1074 BIRCH CREEK LOOP CORVALLIS, MT 59828 9547
Priority Date:	MAY 13, 1910
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	42.50 GPM
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Areas	: 3 - MODERATE
Maximum Acres:	2.50
Source Name:	BIRCH CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySESWSE127N20WRAVALLI
	: MAY 1 TO SEPTEMBER 30
<b>Diversion Means:</b>	DIKE
Period of Use:	MAY 1 TO SEPTEMBER 30

#### **Place of Use:**

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	2.50		SWNWSE	12	7N	20W RAVALLI
Total:	2.50					

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151636-00 151637-00

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 05/27/2014.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151637-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	WILLIAM D PLUMMER 1074 BIRCH CREEK LOOP CORVALLIS, MT 59828 9547				
	JACQUELINE E PLUMMER 1074 BIRCH CREEK LOOP CORVALLIS, MT 59828 9547				
*Priority Date:	MAY 13, 1910				
Type of Historical Right: FILED					
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	BIRCH CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWNWSE127N20WRAVALLI				
Period of Diversion: JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	LIVESTOCK DIRECT FROM SOURCE				
Period of Use:	JANUARY 1 TO DECEMBER 31				

### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			SWNWSE	12	7N	20W	RAVALLI

### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151636-00 151637-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	76H 151638-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	THOMAS C REDMON 6982 UNCLE ROBERT LN APT 5 MISSOULA, MT 59803			
	HATTIE D REDMON 6982 UNCLE ROBERT LN, APT 5 MISSOULA, MT 59803			
Priority Date:	JULY 8, 1921			
Type of Historical Right: FILED				
Purpose(use):	IRRIGATION			
Irrigation Type:	SPRINKLER			
Flow Rate:	112.20 GPM			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Area: 3 - MODERATE				
Maximum Acres:	20.57			
*Source Name:	WILLOUGHBY CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESWSE148N20WRAVALLI			
Period of Diversion	: APRIL 1 TO OCTOBER 31			
Diversion Means:				
Subdivision:	HOME ACRES ORCHARD NO 3 TRACT/LOT: 13 BLOCK: 4 APRIL 1 TO OCTOBER 31			
Period of Use:	AFRIET TO OUTOBER 31			

Place of	of Use:
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<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	3.00		SENWSE		••••		
	Subdivision:	HOME ACRES	ORCHARD	NO 3	TRA	CT/LOT	F: 5 BLOCK: 1
2	17.57		NESWSE	14	8N	20W	RAVALLI
	Subdivision:	HOME ACRES	ORCHARD	NO 3	TRA	CT/LOT	T: 13 BLOCK: 4
Total	: 20.57						

#### 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.

151638-00 151639-00 216360-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/09/1996: PERIOD OF USE, TYPE OF RIGHT.

THE TYPE OF RIGHT WAS AMENDED BY THE CLAIMANT ON 09/03/2009.

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

IMPLIED CLAIM NO. 216360-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151639-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	THOMAS C REDMON 6982 UNCLE ROBERT LN APT 5 MISSOULA, MT 59803				
	HATTIE D REDMON 6982 UNCLE ROBERT LN, APT 5 MISSOULA, MT 59803				
Priority Date:	JULY 8, 1921				
Type of Historical Right	: USE				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER				
Flow Rate:	112.20 GPM				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Area	: 3 - MODERATE				
Maximum Acres:	17.57				
Source Name:	SOUTH WILLOUGHBY CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and Means of Diversion:					
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWSE 14 8N 20W RAVALLI				
Period of Diversion: APRIL 1 TO OCTOBER 31					
<b>Diversion Means:</b>	PUMP				
Subdivision:	HOME ACRES ORCHARD NO 3 TRACT/LOT: 13 BLOCK: 4				
Period of Use:	APRIL 1 TO OCTOBER 31				

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	Sec	Twp	<u>Rge</u>	<b>County</b>
1	17.57		NESWSE	14	8N	20W	RAVALLI
	Subdivision:	HOME ACRES	S ORCHARE	) NO 3	TRA	CT/LO	T: 13 BLOCK: 4
Total	: 17.57						

#### 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.

151638-00 151639-00 216360-00

THE TYPE OF RIGHT WAS AMENDED BY THE CLAIMANT ON 09/03/2009.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	ber: 76H 151640-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HATTIE D REDMON 6982 UNCLE ROBERT LN, APT 5 MISSOULA, MT 59803					
	THOMAS C REDMON 6982 UNCLE ROBERT LN APT 5 MISSOULA, MT 59803					
*Priority Date:	APRIL 30, 1968					
Type of Historical Right	t: USE					
Purpose(use):	FISH AND WILDLIFE					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.					
Volume:	720.00 AC-FT					
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.					
Source Name:	WILLOUGHBY CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWSWSE148N20WRAVALLI					
*Period of Diversion	a: JANUARY 1 TO DECEMBER 31					
Diversion Meaner						

**Diversion Means:** DAM

	*Reservoir:	ONSTREAM	Reservoir Nam	e: Pli	NE LAK	E	
		<u>Govt Lot</u>	<u>Qtr Sec</u> W2SWSE	<u>Sec</u> 14	<u>Twp</u> 8N	<u>Rge</u> 20W	<u>County</u> RAVALLI
	Diversion t Dam Heigh Depth: Surface Ar Capacity:		DIVERSION # 1 15.00 FEET 12.00 FEET 5.40 ACRES 25.92 ACRES	5			
		THE CAPA BY DNRC	,	GHT /	AND MA	AXIMUI	M DEPTH HAVE BEEN ESTIMATED
Per	iod of Use:	JANUARY	1 TO DECEMB	ER 31			
*Plac <u>II</u>	ce of Use: <u>)                                    </u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1			NWSWSE	14	8N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151640-00 216360-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/09/1996: PLACE OF USE, FLOW RATE, VOLUME.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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 WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

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

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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Water Right Number:	.: 76H 151644-00 STATEMENT OF CLAIM							
	Version: 1 -	- ORIGINAL	RIGH	Т				
	St	atus: A	CTIVE					
Owners:	VERNON E SYLVESTER 3919 ILLINOIS BENCH RD STEVENSVILLE, MT 59870 6313							
	3919 ILLINOIS	KATHERINE R SYLVESTER 3919 ILLINOIS BENCH RD STEVENSVILLE, MT 59870 6313						
Priority Date:	FEBRUARY 1	5, 1972						
Type of Historical Right	t: USE							
Purpose(use):	DOMESTIC							
Flow Rate:	5.00 GPM							
Volume:	1.50 AC-FT							
Households:	1							
Maximum Acres:	0.50							
*Source Name:	GROUNDWA	ſER						
Source Type:	GROUN	OWATER						
*Point of Diversion and	Means of Diversi	o <b>n:</b>						
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NENESE	<u>Sec</u> 19	<u>Twp</u> 9N	<u>Rge</u> 19W	<u>County</u> RAVALLI		
Period of Diversion	n: JANUARY 1 T	O DECEMB	ER 31					
Diversion Means: WELL								
Period of Use:	Period of Use: JANUARY 1 TO DECEMBER 31							
*Place of Use:								
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>		
1 0.50		NENESE	19	9N	19W	RAVALLI		
<b>Total:</b> 0.50								

#### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151645-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	KATHERINE R SYLVESTER 3919 ILLINOIS BENCH RD STEVENSVILLE, MT 59870 6313
	VERNON E SYLVESTER 3919 ILLINOIS BENCH RD STEVENSVILLE, MT 59870 6313
Priority Date:	DECEMBER 31, 1955
Type of Historical Right	: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF THREEMILE CREEK
Source Type:	SURFACE WATER
*Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	Govt Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u> N2NESE 19 9N 19W RAVALLI
	I JANUARY 1 TO DECEMBER 31
<b>Diversion Means:</b>	LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

DECEMBER 4, 2015 76H 151645-00 Page 2 of 2

#### \*Place of Use:

ĪD	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge County	
1			N2NESE	19	9N	19W RAVALLI	

#### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151653-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	BLACKBURN FAMILY TRUST C/O CARNAHAN, BRIAN PHILIP TRUSTEE 1573 CHAFFIN LN CORVALLIS, MT 59828 9504						
*Priority Date:	DECEMBER 31, 1952						
Type of Historical Right	USE						
Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER						
Flow Rate:	50.00 GPM						
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THANOUNT PUT TO HISTORICAL AND BENEFICIAL USE.	HE					
Climatic Area	2 - MODERATELY HIGH						
Maximum Acres:	5.00						
*Source Name:	GROUNDWATER						
Source Type:	GROUNDWATER						
*Point of Diversion and M	leans of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNENWSE207N20WRAVALLI						
Period of Diversion Diversion Means:	APRIL 15 TO OCTOBER 15 WELL						
Period of Use:	APRIL 15 TO OCTOBER 15						
*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 5.00	E2NWSE 20 7N 20W RAVALLI						
<b>Total:</b> 5.00							

#### 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.

151653-00 151654-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AS OF 11/09/2013 , THIS WATER RIGHT APPEARS TO BE OWNED BY BRIAN PHILIP CARNAHAN TRUSTEE , 1573 CHAFFIN LN , CORVALLIS , MT 59828-9504.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER SYSTEM WAS FIRST PUT TO USE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151654-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	BLACKBURN FAMILY TRUST C/O CARNAHAN, BRIAN PHILIP TRUSTEE 1573 CHAFFIN LN CORVALLIS, MT 59828 9504					
Priority Date:	JUNE 1, 1866					
Type of Historical Right:	: DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	SPRINKLER/FLOOD					
Flow Rate:	56.10 GPM					
*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:	5.00					
Source Name:	BITTERROOT RIVER					
Source Type:	SURFACE WATER					
*Point of Diversion and N	Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWNWNW256N21WRAVALLI					
Period of Diversion Diversion Means: Ditch Name:	: APRIL 15 TO OCTOBER 15 HEADGATE CORVALLIS CANAL					
2 - SECONDARY	SWNWNW 4 6N 20W RAVALLI APRIL 15 TO OCTOBER 15 HEADGATE WILLOW CREEK DRAIN					

#### \*Point of Diversion and Means of Diversion:

ID		Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	
3 - SE	CONDARY		SESWSW	32	7N	20W	RAVALLI
Peri	od of Diversion	: APRIL 15 TO	OCTOBER 1	5			
Dive	ersion Means:	HEADGATE					
Ditc	h Name:	INDEPENDE	NT DITCH				
		CORVALLIS	CANAL WHIC	CH IS N THE	USED /	AS A N	T RIVER IS CONVEYED TO IATURAL CARRIER TO SECONDARY SEC 4, T6N, R20W AND SESWSW SEC
Period of	f Use:	APRIL 15 TO	OCTOBER 1	5			
*Place of	Use:						
ID	Acres	Govt Lot	<b>Qtr Sec</b>	Sec	Twp	Rge	County
1	5.00		E2NWSE	20	7N	20W	RAVALLI
Total:	5.00						

#### 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.

151653-00 151654-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151654-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151670-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE						
Owners:	DENNIS R MANGOLD 5500 MOLNAR DR GIBSONIA, PA 15044 9308						
	CAROLYN M MANGOLD 5500 MOLNAR DR GIBSONIA, PA 15044 9308						
*Priority Date:	APRIL 1, 1892						
Type of Historical Right	DECREED						
Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER						
Flow Rate:	90.00 GPM						
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
Climatic Area	: 3 - MODERATE						
Maximum Acres:	2.62						
*Source Name: Source Type:	MANMADE PIT, UNNAMED TRIBUTARY OF BITTERROOT RIVER SURFACE WATER						
*Point of Diversion and Means of Diversion:							
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESWNW253N21WRAVALLI						
Period of Diversion Diversion Means:	: APRIL 15 TO OCTOBER 1 PIT						
Period of Use:	APRIL 15 TO OCTOBER 1						

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	2.62		E2SENE	26	3N	21W	RAVALLI
Total:	2.62						

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 125 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 2098-00, 5623-00, 5624-00, 9746-00, 9750-00, 110523-00, 125053-00, 151159-00, 151670-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 34.00 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 151678-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	ORVAL W GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808
	DONNA L GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808
*Priority Date:	MAY 1, 1866
Type of Historical Right:	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	12.34 GPM
*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:	1.10
Source Name: Source Type:	SKALKAHO CREEK SURFACE WATER
*Point of Diversion and N	Ieans of Diversion:
1 Period of Diversion Diversion Means: Ditch Name:	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLIAPRIL 1 TO OCTOBER 1HEADGATEHEDGE DITCH

#### \*Point of Diversion and Means of Diversion:

*Point o	Diversion and N	teans of Diversi	on:				
<u>ID</u>		Govt Lot	<u>Qtr Sec</u>				County
2 - SI	ECONDARY		NWNWNE	8	5N	20W	RAVALLI
Pe	riod of Diversion	: APRIL 1 TO C	OCTOBER 1				
Di	version Means:	HEADGATE					
Dit	tch Name:	REESER DIT	СН				
		WATER FRO PLACE OF US		ITCH I	S CON	VEYED	D THROUGH REESER DITCH TO THE
		POINT WHEF IS PART OF T EXCHANGE. WATER FRO LINE (SWSW R20W). THE PETITION FC DISTRICT IN	RE THE HED THE SKALKA WATER FRO M SKALKAH NE SEC 30 EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	GE DI HO C DM TH O CRE T5N R D WAT O WAT ATION OUNTY CIAL I	TCH IN REEK / E BITT EEK TH 19W) A FER RE N AND I /, TO B DISTRI	ITERSE AND BI ERROG IAT IS ND W ELATIO ESTAB E KNO CT IN A	A IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE ILISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period	of Use:	APRIL 1 TO C	CTOBER 1				
Place of	f Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1 Total:	1.10 Subdivision: 1.10	W AND R AD	NWNENE D TRACT/L	6 OT: 4	5N BLOC		RAVALLI

#### **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.

151678-00 151679-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151678-00 151681-00 151682-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

DECEMBER 4, 2015 76H 151678-00 Page 3 of 3

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 79.42 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5526-00, 10142-00, 21195-00, 21197-00, 21218-00, 21221-00, 21989-00, 99689-00, 99941-00, 99942-00, 99944-00, 99945-00, 105257-00, 105293-00, 107441-00, 107442-00, 111243-00, 111246-00, 111248-00, 114603-00, 131636-00, 131638-00, 147842-00, 147843-00, 148075-00, 148076-00, 148178-00, 148180-00, 148183-00, 148233-00, 148251-00, 148252-00, 149048-00, 149049-00, 149053-00, 149055-00, 149829-00, 151048-00, 151050-00, 151678-00, 151681-00, 151682-00, 151829-00, 153806-00, 211175-00, 211705-00, 211706-00, 211708-00, 211709-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 151679-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	DONNA L GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808
	ORVAL W GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808
Priority Date:	MAY 1, 1875
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	12.34 GPM
*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:	1.10
Source Name: Source Type:	SKALKAHO CREEK SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
1 Period of Diversion Diversion Means: Ditch Name:	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI: APRIL 1 TO OCTOBER 1HEADGATEHEDGE DITCH

DECEMBER 4, 2015 76H 151679-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

Tom	of Diversion and w	leans of Diversi	011.				
ID		Govt Lot	<u>Qtr Sec</u>		<u>Twp</u>		County
	SECONDARY		NWNWNE	8	5N	2000	RAVALLI
I	Period of Diversion	APRIL 1 TO C	OCTOBER 1				
Ι	Diversion Means:	HEADGATE					
Ι	oitch Name:	REESER DIT	СН				
		WATER FRO		ITCH I	S CON	VEYE	D THROUGH REESER DITCH TO THE
		POINT WHEF IS PART OF T EXCHANGE. WATER FROM LINE (SWSW R20W). THE I PETITION FO DISTRICT IN	E THE HED THE SKALKA WATER FRO M SKALKAH NE SEC 30 EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	GE DI AHO C OM TH O CRE T5N R D WAT ATION OUNTY CIAL I	TCH IN REEK / EE BITT EEK TH 19W) A TER RE N AND I 7, TO B DISTRI	ITERSE AND BI ERRO IAT IS IAT IS LATIO ESTAB E KNO CT IN /	A IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Perio	d of Use:	APRIL 1 TO C	CTOBER 1				
Place	of Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	1.10 Subdivision:	W AND R AD	NWNENE D TRACT/L	6 .OT: 4	5N BLOC		RAVALLI
Tota	l: 1.10						

#### **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.

151678-00 151679-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151679-00 151680-00 151830-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

DECEMBER 4, 2015 76H 151679-00 Page 3 of 3

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 127.08 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4602-00, 6051-00, 6613-00, 10141-00, 10143-00, 10144-00, 10145-00, 21194-00, 21196-00, 21219-00, 21220-00, 21988-00, 29177-00, 29178-00, 99690-00, 99940-00, 99943-00, 100556-00, 111242-00, 111244-00, 111247-00, 114606-00, 131635-00, 131637-00, 147840-00, 148074-00, 148077-00, 148179-00, 148181-00, 148182-00, 148232-00, 148249-00, 148253-00, 149050-00, 149051-00, 149052-00, 149054-00, 149830-00, 151047-00, 151049-00, 151396-00, 151679-00, 151680-00, 151830-00, 153805-00, 211174-00, 211707-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE** MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151680-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	DONNA L GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808					
	ORVAL W GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808					
Priority Date:	MAY 1, 1875					
Type of Historical Right	: DECREED					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	SKALKAHO CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI					
	a: JANUARY 1 TO DECEMBER 31					
Diversion Means: Ditch Name:	HEADGATE HEDGE DITCH					

DECEMBER 4, 2015 76H 151680-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

I OHIL OF DIV	cision and b	icans of Divers					
<u>ID</u>		Govt Lot	<u>Qtr Sec</u>				County
2 - SECO	NDARY		NWNWNE	8	5N	20W	RAVALLI
Period	of Diversion	: JANUARY 1	TO DECEMBI	ER 31			
Diversi	on Means:	HEADGATE					
Ditch N	ame:	REESER DIT	ГСН				
		WATER FRO PLACE OF U		TCH	IS CON	VEYED	D THROUGH REESER DITCH TO THE
		POINT WHE IS PART OF EXCHANGE. WATER FRO LINE (SWSW R20W). THE PETITION FO DISTRICT IN DISTRICT, F	RE THE HED THE SKALKA WATER FRC OM SKALKAH VNE SEC 30 1 EXCHANGEE OR ORGANIZ RAVALLI CC	GE DI HO C OM TH O CRI 55N R 55N R O WA ATION OUNT CIAL	TCH IN REEK A IE BITT EEK TH 19W) A TER RE N AND E A TO BI DISTRIC	TERSE AND BI ERROO AT IS I ND W/ LATIO ESTAB E KNO CT IN /	I IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM TTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Us	e:	JANUARY 1	TO DECEMBE	ER 31			
*Place of Use	-			~	_	_	-
ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1			NWNENE	6	5N	20W	RAVALLI
	Subdivision:	W AND R ADI	D TRACT/L	OT: 4	BLOC	CK: 2	

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151679-00 151680-00 151830-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 127.08 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4602-00, 6051-00, 6613-00, 10141-00, 10143-00, 10144-00, 10145-00, 21194-00, 21196-00, 21219-00, 21220-00, 21988-00, 29177-00, 29178-00, 99690-00, 99940-00, 99943-00, 100556-00, 111242-00, 111244-00, 111247-00, 114606-00, 131635-00, 131637-00, 147840-00, 147844-00, 148074-00, 148077-00, 148179-00, 148181-00, 148182-00, 148232-00, 148249-00, 148253-00, 149050-00, 149051-00, 143052-00, 149054-00, 149830-00, 151047-00, 151049-00, 151396-00, 151679-00, 151680-00, 151830-00, 153805-00, 211174-00, 211707-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151681-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	ORVAL W GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808					
	DONNA L GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808					
*Priority Date:	MAY 1, 1866					
Type of Historical Right	t: DECREED					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	SKALKAHO CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI					
	a: JANUARY 1 TO DECEMBER 31					
Diversion Means: Ditch Name:	HEADGATE HEDGE DITCH					

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\*Point of Diversion and Means of Diversion:

I omt of Dive	and h	icans of Divers					
		Govt Lot	<u>Qtr Sec</u>				County
2 - SECON		: JANUARY 1		8 - D 24	5N	2000	RAVALLI
1 01104 0		HEADGATE		ER JI			
	on Means:						
Ditch Na	ame:	REESER DIT					
		WATER FRO PLACE OF U		TCH	IS CON'	VEYED	D THROUGH REESER DITCH TO THE
		POINT WHE IS PART OF EXCHANGE. WATER FRO LINE (SWSW R20W). THE PETITION FO DISTRICT IN DISTRICT, F	RE THE HED THE SKALKA WATER FRC OM SKALKAH /NE SEC 30 1 EXCHANGEI OR ORGANIZ RAVALLI CC	GE DI HO C OM TH O CRI 55N R 55N R O WA ATION OUNT CIAL	TCH IN REEK A IE BITTI EEK TH 19W) A TER RE N AND E (, TO BE DISTRIC	TERSE AND BI ERROO AT IS I ND W/ LATIO ESTAB E KNO CT IN /	I IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Use	e:	JANUARY 1	TO DECEMBE	ER 31			
*Place of Use:							
ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1			NWNENE	6	5N	20W	RAVALLI
	Subdivision:	W AND R ADI	D TRACT/L	OT: 4	BLOC	CK: 2	

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151678-00 151681-00 151682-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 79.42 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5526-00, 10142-00, 21195-00, 21197-00, 21218-00, 21221-00, 21989-00, 99689-00, 99941-00, 99942-00, 99944-00, 99945-00, 105257-00, 105293-00, 107441-00, 107442-00, 111243-00, 111246-00, 111248-00, 114603-00, 131636-00, 131638-00, 147842-00, 147843-00, 148075-00, 148076-00, 148178-00, 148180-00, 148183-00, 148233-00, 148251-00, 148252-00, 149048-00, 149049-00, 149053-00, 149055-00, 149829-00, 151048-00, 151050-00, 151678-00, 151681-00, 151682-00, 151829-00, 153806-00, 211175-00, 211705-00, 211706-00, 211708-00, 211709-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151682-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	DONNA L GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808
	ORVAL W GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808
*Priority Date:	MAY 1, 1866
Type of Historical Right	: DECREED
Purpose(use):	FISH AND WILDLIFE
Flow Rate:	12.34 GPM
Volume:	10.00 AC-FT
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and I	Means of Diversion:
<u>ID</u>	Govt Lot Qtr Sec Sec Twp Rge County
1 Period of Diversion	NWNESW 8 5N 20W RAVALLI I: JANUARY 1 TO DECEMBER 31
Diversion Means: Ditch Name:	HEADGATE HEDGE DITCH
2 - SECONDARY Period of Diversion Diversion Means: Ditch Name:	NWNWNE 8 5N 20W RAVALLI I: JANUARY 1 TO DECEMBER 31 HEADGATE REESER DITCH
	WATER FROM HEDGE DITCH IS CONVEYED THROUGH REESER DITCH TO THE PLACE OF USE.

THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20W THE POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1			NWNENE	6	5N	20W	RAVALLI
	Subdivision:	W AND R ADE	) TRACT/L	OT: 4	BLOC	CK: 2	

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151678-00 151681-00 151682-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

151682-00 151829-00 151830-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 79.42 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5526-00, 10142-00, 21195-00, 21197-00, 21218-00, 21221-00, 21989-00, 99689-00, 99941-00, 99942-00, 99944-00, 99945-00, 105257-00, 105293-00, 107441-00, 107442-00, 111243-00, 111246-00, 111248-00, 114603-00, 131636-00, 131638-00, 147842-00, 147843-00, 148075-00, 148076-00, 148178-00, 148180-00, 148183-00, 148233-00, 148251-00, 148252-00, 149048-00, 149049-00, 149053-00, 149055-00, 149829-00, 151048-00, 151050-00, 151678-00, 151681-00, 151682-00, 151829-00, 153806-00, 211175-00, 211705-00, 211706-00, 211708-00, 211709-00.

THE CAPACITY OF THE DIVERSION AND CONVEYANCE SYSTEM CANNOT BE DETERMINED AND THE FLOW RATE REMAINS AS ORIGINALLY CLAIMED. THE CLAIMED FLOW RATE CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE FLOW RATE WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

THE BASIS OF THIS CLAIMED WATER RIGHT WAS NOT FOUND IN THE DECREE FROM CASE NO. 2149, RAVALLI COUNTY. THE CLAIMED PRIORITY DATE CANNOT BE CONFIRMED.

THE CLAIMED PURPOSE DOES NOT MATCH THE FORMERLY DECREED PURPOSE. CASE NO. 2149 , RAVALLI COUNTY DECREED THE USE AS IRRIGATION.

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THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

THE VOLUME OF THIS CLAIM CANNOT BE DETERMINED FROM AVAILABLE INFORMATION, AND VOLUME REMAINS AS ORIGINALLY CLAIMED. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 1517	/31-00	STATEMENT OF CLAIM		
	Version:	1 Ol	ORIGINAL RIGHT		
		Status	: WITHDRAWN		

Owners: EARL W WOODHOUSE % RUTH DENNEY R6501 COUNTY ROAD 86 FORT COLLINS, CO 80524 9121

> WILMA R WOODHOUSE % RUTH DENNEY R6501 COUNTY ROAD 86 FORT COLLINS, CO 80524 9121

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use):IRRIGATIONFlow Rate:Volume:Volume:WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVERPoint of Diversion and Weans of Diversion:Period of Use:Place of Use:Vaste & Setepage & Setepag

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/21/1992.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151732-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	WILMA R WOODHOUSE % RUTH DENNEY R6501 COUNTY ROAD 86 FORT COLLINS, CO 80524 9121					
Priority Date:	APRIL 1, 1900					
Type of Historical Right:	USE					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	50.00 GPM					
	THE WATER RIGHT NUMBERS 76H 151732 00 & 30072779 SHARE A FLOW RATE OF 50 GPM. THE WATER RIGHT WILL BE OPERATED IN THE FOLLOWING MANNER: AS SHOWN IN DEED.					
*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:	3.00					
Source Name:	BITTERROOT RIVER					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySESENW114N21WRAVALLI					
Period of Diversion: APRIL 25 TO OCTOBER 25						
Diversion Means: Ditch Name:	HEADGATE HEDGE DITCH					

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 2 - SE	CONDARY	Govt Lot	<u>Qtr Sec</u> NESENE	<u>Sec</u> 25	<u>Twp</u> 5N	<u>Rge</u> 21W	<u>County</u> RAVALLI
Peri	od of Diversion	: APRIL 25 TO O	CTOBER 2	25			
Dive	ersion Means:	PIPELINE					
		DITCH WHICH	IS USED A	SAN	IATURA	AL CAR	T RIVER IS CONVEYED TO HEDGE RIER TO A SECONDARY POINT OF N RGE 21W RAVALLI COUNTY.
Period of	Use:	APRIL 25 TO O	CTOBER 2	5			
Place of	Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County
1	3.00		SENE	25	5N	21W	RAVALLI
Total:	3.00						

#### 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.

105024-00	107997-00	151266-00	151267-00	151732-00	23830-00	30072779
30072785						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/21/1992: POINT OF DIVERSION, FLOW RATE, PLACE OF USE, MAXIMUM ACRES, PRIORITY DATE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BITTERROOT RIVER WITH A PRIORITY DATE PREDATING CASE NO. 1287 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151732-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 1517	/33-00	STATEMENT OF CLAIM			
	Version:	1 O	RIGINAL RIGHT			
		Status	:: WITHDRAWN			
-						

Owners: WILMA R WOODHOUSE % RUTH DENNEY R6501 COUNTY ROAD 86 FORT COLLINS, CO 80524 9121

> EARL W WOODHOUSE % RUTH DENNEY R6501 COUNTY ROAD 86 FORT COLLINS, CO 80524 9121

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use):IRRIGATIONFlow Rate:IRRIGATIONVolume:Volume:Source Name:WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVERPoint of Diversion and Weans of Diversion:Period of Use:Place of Use:Image: Comparison of Compar

### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/21/1992.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	Version:	<b>4-00</b> STATI 1 ORIGINA Status:		IT	AIM	
Owners:	DONALD C 4194 E SIDI STEVENSV		70			
	BETTY J W 4194 E SIDE STEVENSV		70			
Priority Date:	MAY 15, 18	82				
Type of Historical Right	: DECREED					
Purpose(use):	IRRIGATION	N				
Irrigation Type:	FLOOD					
Flow Rate:	3.88 CFS					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area	: 3 - MODER	ATE				
Maximum Acres:	170.00					
*Source Name:	BURNT FO	RK CREEK				
Source Type:	SURF/	ACE WATER				
*Point of Diversion and N	Aeans of Dive	rsion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> SWNESW	3	<u>Twp</u> 8N		<u>County</u> RAVALLI
Period of Diversion			31			
Diversion Means:	HEADGATE	= SWNESW	3	8N	10\//	RAVALLI
2 Period of Diversion	: APRIL 1 TC			OIN	1900	
Diversion Means:	HEADGATE					

DECEMBER 4, 2015 76H 151734-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> 3		Govt Lot	<u>Qtr Sec</u> SWNESE	<u>Sec</u> 25	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI		
I	Period of Diversion:	APRIL 1 TO O	CTOBER 31						
Ι	Diversion Means:	HEADGATE	HEADGATE						
Ι	Ditch Name:	KINNEMAN DI	ITCH (HEAD	GATE	50)				
4			NWNESW	25	9N	20W	RAVALLI		
I	Period of Diversion:	APRIL 1 TO O	CTOBER 31						
Ι	Diversion Means:	HEADGATE							
Ι	Ditch Name:	KINNEMAN DI	ITCH (HEAD	GATE	50A)				
Perio	d of Use:	APRIL 1 TO OCTOBER 31							
Place	of Use:								
<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	Rge	<b>County</b>		
1	155.00		NW	25	9N	20W	RAVALLI		
2	15.00		N2N2SW	25	9N	20W	RAVALLI		
Tota	l: 170.00								

### **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.

151734-00 151735-00 151736-00 151737-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151734-00 151741-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/20/2009 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD SMITH, 521 N BURNT FORK RD, STEVENSVILLE, MT, 59870-6651.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151735-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	BETTY J WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870					
	DONALD C WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870					
Priority Date:	JUNE 1, 1866					
Type of Historical Right:	DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	1.00 CFS					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area:	3 - MODERATE					
Maximum Acres:	177.00					
Source Name:	NORTH SWAMP CREEK					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS SAPIEL CREEK					
*Point of Diversion and Means of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWSWSE259N20WRAVALLI					
	: APRIL 1 TO OCTOBER 31					
Diversion Means: Ditch Name:	HEADGATE DADE DITCH (HEADGATE 74)					

DECEMBER 4, 2015 76H 151735-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> 2	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>		
∠ Period of Diversio		SENESW		9N	2000	RAVALLI	
Diversion Means:		JOTOBER 31					
Ditch Name:	DADE DITCH	(HEADGATE	Ξ 76)				
3		SESENE	26	9N	20W	RAVALLI	
Period of Diversio	Period of Diversion: APRIL 1 TO OCTOBER 31						
<b>Diversion Means:</b>	HEADGATE						
<b>Ditch Name:</b>	HOWARD-KE	HOWARD-KEENAN DITCH (HEADGATE 77)					
Period of Use:	APRIL 1 TO OCTOBER 31						
Place of Use:							
ID Acres	Govt Lot	Otr Sec	Sec	Twp	Rge	County	

<u>ID</u>	Acres	GOVI LOI	Qir Sec	Sec	<u>1 wp</u>	kge	County
1	20.00		SENW	25	9N	20W	RAVALLI
2	80.00		W2NW	25	9N	20W	RAVALLI
3	40.00		N2N2SW	25	9N	20W	RAVALLI
4	37.00		SENE	26	9N	20W	RAVALLI
Total:	177.00						

#### 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.

151734-00 151735-00 151736-00 151737-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151735-00 151739-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/20/2009 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD SMITH.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151736-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	DONALD C WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870
	BETTY J WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870
Priority Date:	JULY 1, 1852
	THIS CLAIM IS PART OF THE BURNT FORK CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM BURNT FORK CREEK IS EXCHANGED FOR WATER FROM THE BITTERROOT RIVER THAT IS DIVERTED INTO THE SUPPLY DITCH (SWSENW SEC 20 T7N R20W). EXCHANGE USERS HOLD SHARES IN SUPPLY DITCH ASSOCIATION TO BE ABLE TO USE THE JULY 1, 1852 "FORT" RIGHT WATER FROM BURNT FORK CREEK.
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.25 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	170.00
*Source Name:	BURNT FORK CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 151736-00 Page 2 of 3

*Point of	*Point of Diversion and Means of Diversion:							
ID		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>	
1			SWNESW	3	8N	19W	RAVALLI	
Per	iod of Diversion	: APRIL 1 TO C	OCTOBER 31					
Div	ersion Means:	HEADGATE						
2			SWNESW	3	8N	19W	RAVALLI	
Per	iod of Diversion	: APRIL 1 TO C	OCTOBER 31					
Div	ersion Means:	HEADGATE						
3			SWNESE	25	9N	20W	RAVALLI	
Per	iod of Diversion	: APRIL 1 TO C	OCTOBER 31					
Div	ersion Means:	HEADGATE						
Dite	ch Name:	KINNEMAN D	NTCH (HEAD	GATE	50)			
4			NWNESW	25	9N	20W	RAVALLI	
Per	iod of Diversion	: APRIL 1 TO C	OCTOBER 31					
Div	ersion Means:	HEADGATE						
Dite	ch Name:	KINNEMAN DITCH (HEADGATE 50A)						
Period o	f∐se∙	APRIL 1 TO C	CTOBER 31					
1 01104 0	1 050.	/ 112 1 10 0	010021101					
Place of	Use:							
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>	
1	155.00		NW	25	9N	20W	RAVALLI	
2	15.00		N2N2SW	25	9N	20W	RAVALLI	
Total:	170.00							

### 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.

151734-00 151735-00 151736-00 151737-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151736-00 151740-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 512 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 3250, 25726, 25750, 50560-00, 50570-00, 104536, 104544, 104546, 104959, 104960, 105006, 107664, 107665, 119948, 128517, 128519, 147922, 150065, 150969, 151736, 151740, 214149, 214379.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/20/2009 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD SMITH, 521 N BURNT FORK RD, STEVENSVILLE, MT, 59870-6651. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF **AVAILABILITY."**

Water Right Number:	76H 151737-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	DONALD C WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870
	BETTY J WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870
Priority Date:	JUNE 1, 1866
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	325.38 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Areas	3 - MODERATE
Maximum Acres:	37.00
Source Name:	NORTH SWAMP CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS SAPIEL CREEK
*Point of Diversion and N	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySESENE269N20WRAVALLI
Period of Diversion	: APRIL 1 TO OCTOBER 31
Diversion Means:	
Ditch Name:	HOWARD-KEENAN DITCH (HEADGATE 77)
Period of Use:	APRIL 1 TO OCTOBER 31

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge County	
1	37.00		SENE	26	9N	20W RAVALL	.I
Total:	37.00						

### 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.

151734-00 151735-00 151736-00 151737-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151737-00 151738-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151738-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	DONALD C WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870					
	BETTY J WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870					
Priority Date:	JUNE 1, 1866					
Type of Historical Right	I: DECREED					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	NORTH SWAMP CREEK					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS SAPIEL CREEK					
Point of Diversion and Means of Diversion:						
ID 1 Period of Diversion	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENE 26 9N 20W RAVALLI a: JANUARY 1 TO DECEMBER 31					

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

DECEMBER 4, 2015 76H 151738-00 Page 2 of 2

**Point of Diversion and Means of Diversion:** 

ID		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>		
2			SESENE	26	9N	20W	RAVALLI		
Period of Diversion: JANUARY 1 TO DECEMBER 31									
Diversion	n Means:	HEADGATE							
Ditch Na	me:	HOWARD-KEE	NAN DITCI	H (HE/	ADGAT	E 77)			
Period of Use	Period of Use: JANUARY 1 TO DECEMBER 31								
Place of Use:									
<u>ID</u>	<u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>		
1			SENE	26	9N	20W	RAVALLI		

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151737-00 151738-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151739-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	BETTY J WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870				
	DONALD C WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870				
Priority Date:	JUNE 1, 1866				
Type of Historical Right	: DECREED				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	NORTH SWAMP CREEK				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS SAPIEL CREEK				
	*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSWSE 25 9N 20W RAVALLI				
	: JANUARY 1 TO DECEMBER 31 HEADGATE DADE DITCH (HEADGATE 74)				

DECEMBER 4, 2015 76H 151739-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>		Twp	<u>Rge</u>			
2		SENESW	25	9N	20W	RAVALLI		
Period of Diversion	: JANUARY 1 T	O DECEMBI	ER 31					
<b>Diversion Means:</b>	HEADGATE	HEADGATE						
Ditch Name:	DADE DITCH	DADE DITCH (HEADGATE 76)						
3		SENE	26	9N	20W	RAVALLI		
<b>Period of Diversion</b>	Diversion: JANUARY 1 TO DECEMBER 31							
<b>Diversion Means:</b>	LIVESTOCK I	DIRECT FRC	M SO	URCE				
4		SESENE	26	9N	20W	RAVALLI		
Period of Diversion	: JANUARY 1 T	O DECEMBI	ER 31					
<b>Diversion Means:</b>	HEADGATE							
Ditch Name:	HOWARD-KEENAN DITCH (HEADGATE 77)							
Period of Use:	JANUARY 1 T	O DECEMBE	ER 31					

### Place of Use:

Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge County
		SENW	25	9N	20W RAVALLI
		W2NW	25	9N	20W RAVALLI
		N2N2SW	25	9N	20W RAVALLI
		SENE	26	9N	20W RAVALLI
	<u>Acres</u>	<u>Acres</u> <u>Govt Lot</u>	SENW W2NW N2N2SW	SENW 25 W2NW 25	SENW 25 9N W2NW 25 9N N2N2SW 25 9N

### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151735-00 151739-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/20/2009 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD SMITH.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151739-00 Page 3 of 3

### **IMPORTANT NOTICE**

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Water Right Number:	76H 151740-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	BETTY J WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870		
	DONALD C WORM 4194 E SIDE HWY STEVENSVILLE, MT 59870		
Priority Date:	JULY 1, 1852		
Type of Historical Right	: DECREED		
Purpose(use):	STOCK		
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.		
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.		
*Source Name:	BURNT FORK CREEK		
Source Type:	SURFACE WATER		
*Point of Diversion and Means of Diversion:			
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWNESW38N19WRAVALLI		
Period of Diversion Diversion Means:	a: JANUARY 1 TO DECEMBER 31 HEADGATE		
2 Period of Diversion Diversion Means:	SWNESW 3 8N 19W RAVALLI a: JANUARY 1 TO DECEMBER 31 HEADGATE		

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\*Point of Diversion and Means of Diversion:

ID		Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge			
3			SWNESE	25	9N	20W	RAVALLI		
	<b>Period of Diversion</b>	: JANUARY 1 1	TO DECEMB	ER 31					
	<b>Diversion Means:</b>	Diversion Means: HEADGATE							
	Ditch Name:	KINNEMAN D	NTCH (HEAD	GATE	50)				
4		25	9N	20W	RAVALLI				
	<b>Period of Diversion</b>	: JANUARY 1	TO DECEMB	ER 31					
	<b>Diversion Means:</b>	HEADGATE							
	Ditch Name:	KINNEMAN DITCH (HEADGATE 50A)							
Peri	od of Use:	JANUARY 1 T	O DECEMBE	ER 31					
Plac	e of Use:								
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>		
1			NW	25	9N	20W	RAVALLI		
2			N2N2SW	25	9N	20W	RAVALLI		

### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151736-00 151740-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 512 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 3250, 25726, 25750, 50560-00, 50570-00, 104536, 104544, 104546, 104959, 104960, 105006, 107664, 107665, 119948, 128517, 128519, 147922, 150065, 150969, 151736, 151740, 214149, 214379.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/15/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD SMITH, 521 N BURNT FORK RD, STEVENSVILLE, MT, 59870-6651.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151740-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151741-0	0 STATE	MENT	OF CL	AIM	
	Version: 1	ORIGINAL	RIGH	Т		
	St	atus: A	CTIVE			
Owners:	BETTY J WO 4194 E SIDE I STEVENSVIL	HWY	70			
	DONALD C W 4194 E SIDE I STEVENSVIL	HWY	70			
Priority Date:	MAY 15, 1882					
Type of Historical Right	: DECREED					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS O DITCH SYSTE	F STOCK DI M. THE FL	RINKIN OW RA	G DIRI	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	STOCK WATE ANIMAL UNIT	ERING PUR . ANIMAL U	POSES NITS S	S AT TH HALL E	HE RAT BE BAS	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER
*Source Name:	BURNT FOR	CREEK				
Source Type:	SURFAC	E WATER				
*Point of Diversion and Means of Diversion:						
<u>ID</u>	Govt Lot	<u>Qtr Sec</u>		<u>Twp</u>		County
1 Period of Diversior Diversion Means:	: JANUARY 1 T HEADGATE	SWNESW	3 8ER 31	8N	19W	RAVALLI
2 Period of Diversior Diversion Means:	: JANUARY 1 HEADGATE	SWNESW O DECEME	3 BER 31	8N	19W	RAVALLI

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 3		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>		
-			SWNESE			20W	RAVALLI	
Pe	riod of Diversion	: JANUARY 1 I	O DECEMB	ER 31				
Di	version Means:	HEADGATE						
Di	tch Name:	KINNEMAN D	ITCH (HEAD	GATE	50)			
4			NWNESW	25	9N	20W	RAVALLI	
Pe	Period of Diversion: JANUARY 1 TO DECEMBER 31							
Di	version Means:	HEADGATE						
Dit	tch Name:	KINNEMAN D	KINNEMAN DITCH (HEADGATE 50A)					
Period	of Use:	JANUARY 1 T	O DECEMBE	ER 31				
Place of	f Use:							
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>	
1			NW	25	9N	20W	RAVALLI	
2			N2N2SW	25	9N	20W	RAVALLI	

### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151734-00 151741-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/05/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD SMITH, 521 N BURNT FORK RD, STEVENSVILLE, MT, 59870-6651.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151741-00 Page 3 of 3

### **IMPORTANT NOTICE**

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### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151742-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	BONNIE D ZACHA 903 BIRCH CREEK LOOP CORVALLIS, MT 59828 9546		
	RUSSELL S ZACHA 903 BIRCH CREEK LOOP CORVALLIS, MT 59828 9546		
Priority Date:	MAY 12, 1926		
Type of Historical Right	: FILED		
Purpose(use):	IRRIGATION		
Irrigation Type:	SPRINKLER		
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.		
Volume:	120.00 AC-FT		
Climatic Area:	: 3 - MODERATE		
Maximum Acres:	40.00		
*Source Name:	SPRING, UNNAMED TRIBUTARY OF NORTH BIRCH CREEK		
Source Type:	SURFACE WATER		
*Point of Diversion and N	Aeans of Diversion:		
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNWNW 12 7N 20W RAVALLI		
	: MAY 1 TO OCTOBER 1		
Diversion Means: Subdivision:	DAM MOUNTAIN VIEW ORCHARDS TRACT/LOT: 19-20 BLOCK: 001		

*Reservoir: C	ONSTREAM					
	<u>Govt Lot</u> N	<u>Qtr Sec</u> WNWNW	<u>Sec</u> 12	<u>Twp</u> 7N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Diversion to	Reservoir: DIVE	RSION # 1				
Dam Height	: 13.0	00 FEET				
Depth:	10.0	00 FEET				
Surface Are	ea: 0.1	0 ACRES	5			
Capacity:	0.4	0 ACRE-	FEET			
	THE CAPACITY DNRC.	, DAM HEI	GHT,	AND S	URFAC	E AREA HAVE BEEN ESTIMATED BY
Period of Use:	MAY 1 TO OCT	OBER 1				
Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1 40.00		NWNE	11	7N	20W	RAVALLI
<b>Total:</b> 40.00						

### **Remarks:**

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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 PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER SYSTEM WAS FIRST PUT TO USE.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 300 TIMES THE CAPACITY OF THE RESERVOIR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151742-00 Page 3 of 3

### **IMPORTANT NOTICE**

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Water Right Number:	76H 151743-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARTER E BECK 4860 SUNDOWN RD MISSOULA, MT 59804 7102			
	SUSAN M BECK 4860 SUNDOWN RD MISSOULA, MT 59804			
Priority Date:	APRIL 30, 1940			
Type of Historical Right	USE			
Purpose(use):	IRRIGATION			
Irrigation Type:	SPRINKLER/FLOOD			
*Flow Rate:	374.00 GPM			
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Area:	: 3 - MODERATE			
Maximum Acres:	22.00			
*Source Name:	BITTERROOT RIVER			
Source Type:	SURFACE WATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWNENE3413N20WMISSOULA			
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 PUMP			
Period of Use:	APRIL 1 TO NOVEMBER 1			

### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	22.00		NENE	34	13N	20W MISSOULA
Total:	22.00					

### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO. CNR-1P-210, DATED 08/11/1955 APPEARS TO INDICATE 13.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 1379-211 , DATED 07/21/1980 APPEARS TO INDICATE 14.20 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 151769-00 STATEMENT OF CLAIM

	Version:	1 ORIGIN Status:	IAL RIGHT ACTIVE
	Late Claim		
Owners:			
		FOLEY LTON HTS F S, MT 59828	
		6 FOLEY LTON HTS F S, MT 59828	
		R FOLEY LTON HTS F S, MT 59828	
*Priority Date:	MARCH 31	, 1950	
Enforceable Prio	rity Date: J	JNE 30, 197	3
	THIS CLAII FEDERAL	<b>M IS SUBOR</b>	03/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, DINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS V.
Type of Historical Right	: USE		
Purpose(use):	IRRIGATIO	N	
Irrigation Type:	FLOOD		
Flow Rate:	8.00 GPM		
*Volume:			OF THIS WATER RIGHT SHALL NOT EXCEED THE FORICAL AND BENEFICIAL USE.

Climatic Area: 2 - MODERATELY HIGH

76H 151769-	00						
Page 2 of 3							
Maximum	Acres:	8.00					
Source Na	me:	SPRING, UNN	AMED TRIE	BUTAF	RY OF (	CALF C	CREEK
Source	Туре:	SURFACE WATER					
		ALSO KNOWN	AS COW C	REE	<		
Point of Diversion and Means of Diversion:							
<u>ID</u>		Govt Lot	<u>Qtr Sec</u>				<b>County</b>
1			E2SWNW	18	6N	19W	RAVALLI
Perio	d of Diversion	: APRIL 15 TO I	NOVEMBER	15			
Diver	sion Means:	DIVERSION D	DAM				
Period of Use: APRIL 15 TO NOVEMBER 15							
Place of U	se:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	8.00		SWNW	18	6N	19W	RAVALLI

### Remarks:

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Total:

8.00

**DECEMBER 4, 2015** 

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.

151769-00	151770-00	151771-00	151772-00	151773-00	151774-00	151775-00
151776-00	151778-00	151779-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/16/2007: SOURCE, PRIORITY DATE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/18/1992: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/06/2015: SOURCE AND FLOW RATE.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 01/06/2015.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 3/30/2015.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/03/1982 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151770-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
Priority Date:	JULY 1, 1891
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	112.20 GPM
*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:	221.25
Source Name: Source Type:	WILLOW CREEK SURFACE WATER

DECEMBER 4, 2015 76H 151770-00 Page 2 of 3

#### Point of Diversion and Means of Diversion:

<u>ID</u>	D Govt Lot			<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>		
1		NWSENW	8	6N	19W	RAVALLI			
Pe	eriod of Diversion	: APRIL 1 TO C	OCTOBER 31						
Di	version Means:	HEADGATE	HEADGATE						
Di	tch Name:	WILLOW CRE	EEK LOW DI	тсн					
2			NWSWNE	9	6N	19W	RAVALLI		
Pe	eriod of Diversion	: APRIL 1 TO C	OCTOBER 31						
<b>Diversion Means:</b>		HEADGATE							
Di	tch Name:	WILLOW CREEK HIGH DITCH							
Period of Use:		APRIL 1 TO OCTOBER 31							
Place o	of Use:								
<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	Sec	Twp	<u>Rge</u>	<b>County</b>		
1	73.80		W2NW	18	6N	19W	RAVALLI		
2	75.73		N2SW	18	6N	19W	RAVALLI		
3	71.72		E2SE	12	6N	20W	RAVALLI		

#### **Remarks:**

Total:

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.

151769-00	151770-00	151771-00	151772-00	151773-00	151774-00	151775-00
151776-00	151778-00	151779-00				

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151770-00 151780-00

221.25

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/18/1992: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/06/2015: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: POINT OF DIVERSION, PERIOD OF DIVERSION AND PERIOD OF USE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 20 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 1069-00, 151770-00, 151780-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151771-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
*Priority Date:	DECEMBER 31, 1903
Type of Historical Right	: USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	8.00 AC-FT
Climatic Area	: 2 - MODERATELY HIGH
Maximum Acres:	18.40
*Source Name: Source Type:	UNNAMED TRIBUTARY OF CHARLEYS GULCH SURFACE WATER

DECEMBER 4, 2015 76H 151771-00 Page 2 of 3

*Point of Diversion a	*Point of Diversion and Means of Diversion:							
ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp		County		
1		SENWSW	18	6N	19W	RAVALLI		
*Period of Diver	sion: JANUARY 1	TO DECEMB	ER 31					
Diversion Mea	ns: DAM							
	THE PERIOE CLAIM.	OF DIVERS	ION H	IAS BEI	EN ST/	ANDARDIZED BY DNRC FOR THIS		
<b>Reservoir:</b>	ONSTREAM							
	Govt Lot	<u>Qtr Sec</u> SENWSW	<u>Sec</u> 18	<u>Twp</u> 6N	<u>Rge</u> 19W	<u>County</u> RAVALLI		
Diversion	to Reservoir: DI	VERSION # 1						
Dam Heig	ht: 1	6.00 FEET						
Depth:		2.00 FEET						
Surface A	rea•	0.50 ACRES	3					
Capacity:		2.40 ACRE-						
Cupacity		SERVOIR WO		HEET I	N THE	CLAIM FILE FOR ADDITIONAL		
Period of Use:	APRIL 15 TO	OCTOBER 1	5					
Place of Use:								
<u>ID</u> <u>Acre</u>	s <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County		
1 18.40	)	NWSW	18	6N	19W	RAVALLI		
<b>Total:</b> 18.40	)							

### **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.

151769-00	151770-00	151771-00	151772-00	151773-00	151774-00	151775-00
151776-00	151778-00	151779-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/06/2015: PLACE OF USE, MAXIMUM ACRES, VOLUME.

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 06/18/1992.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 3.3 TIMES THE CAPACITY OF THE RESERVOIR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151772-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
Priority Date:	JANUARY 1, 1903
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.50 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Areas	2 - MODERATELY HIGH
Maximum Acres:	221.25
*Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 151772-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

I	<u>D</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			NWSENW	8	6N	19W	RAVALLI
	Period of Diversion	: JANUARY 1	TO DECEMB	ER 31			
	<b>Diversion Means:</b>	HEADGATE					
	Ditch Name:	WILLOW CR	EEK LOW DI	тсн			
2			NWSWNE	9	6N	19W	RAVALLI
	Period of Diversion	: JANUARY 1	TO DECEMB	ER 31			
	<b>Diversion Means:</b>	HEADGATE					
	Ditch Name:	WILLOW CR	EEK HIGH DI	ITCH			
Per	iod of Use:	JANUARY 1	TO DECEMBE	ER 31			
Pla	ce of Use:						
II	<u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1	73.80		W2NW	18	6N	19W	RAVALLI
2	75.73		N2SW	18	6N	19W	RAVALLI

71.72	E2SE	12	6N	20W	RAVALLI

#### **Remarks:**

Total:

221.25

3

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.

151769-00	151770-00	151771-00	151772-00	151773-00	151774-00	151775-00
151776-00	151778-00	151779-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/06/2015: PERIOD OF DIVERSION, PLACE OF USE AND MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES AND PERIOD OF USE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

EXCEED THE

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151773-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
Priority Date:	JUNE 9, 1888
Type of Historical Right:	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	56.10 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	2 - MODERATELY HIGH
Maximum Acres:	221.25
*Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

2.....

DECEMBER 4, 2015 76H 151773-00 Page 2 of 3

#### Point of Diversion and Means of Diversion:

ID		Govt Lot	Qtr Sec	<u>Sec</u>	Twp	Rge	<u>County</u>
1			NWSENW	8	6N	19W	RAVALLI
I	Period of Diversion	: APRIL 1 TO C	OCTOBER 31				
I	Diversion Means:	HEADGATE					
Ι	Ditch Name:	WILLOW CRE	EEK LOW DI	ТСН			
2			NWSWNE	9	6N	19W	RAVALLI
J	Period of Diversion	: APRIL 1 TO C	OCTOBER 31				
I	Diversion Means:	HEADGATE					
Ι	Ditch Name:	WILLOW CRE	EEK HIGH DI	ТСН			
Perio	d of Use:	APRIL 1 TO C	CTOBER 31				
Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	73.80		W2NW	18	6N	19W	RAVALLI
2	75.73		N2SW	18	6N	19W	RAVALLI
3	71.72		E2SE	12	6N	20W	RAVALLI

#### **Remarks:**

Total:

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.

151769-00	151770-00	151771-00	151772-00	151773-00	151774-00	151775-00
151776-00	151778-00	151779-00				

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151773-00 151782-00

221.25

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/18/1992: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/06/2015: POINT OF DIVERSION, PLACE OF USE AND PRIORITY DATE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES AND PERIOD OF USE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 10 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 1065-00, 151773-00, 151782-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151774-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
Priority Date:	OCTOBER 10, 1864
Type of Historical Right:	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	336.60 GPM
*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:	221.25
*Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 151774-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

71.72

221.25

ID		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			NWSENW	8	6N	19W	RAVALLI
	<b>Period of Diversion</b>	: JANUARY 1	TO DECEMB	ER 31			
	<b>Diversion Means:</b>	HEADGATE					
	Ditch Name:	WILLOW CR	EEK LOW DI	тсн			
2			NWSWNE	9	6N	19W	RAVALLI
	Period of Diversion	: JANUARY 1	TO DECEMB	ER 31			
	<b>Diversion Means:</b>	HEADGATE					
	Ditch Name:	WILLOW CR	EEK HIGH DI	TCH			
Perio	od of Use:	JANUARY 1	TO DECEMBE	ER 31			
Plac	e of Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	73.80		W2NW	18	6N	19W	RAVALLI
2	75.73		N2SW	18	6N	19W	RAVALLI

#### Remarks:

Total:

3

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.

12

6N

20W RAVALLI

E2SE

151769-00	151770-00	151771-00	151772-00	151773-00	151774-00	151775-00
151776-00	151778-00	151779-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/18/1992: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/06/2015: PLACE OF USE, MAXIMUM ACRES, PRIORITY DATE, TYPE OF RIGHT.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: POINT OF DIVERSION, PERIOD OF DIVERSION AND PERIOD OF USE.

THE TYPE OF RIGHT WAS AMENDED BY THE CLAIMANT ON 01/16/2007.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 30 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 119878-00, 119885-00, 151774-00.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151775-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
Priority Date:	JUNE 1, 1862
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	168.30 GPM
*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:	221.25
Source Name: Source Type:	WILLOW CREEK SURFACE WATER

DECEMBER 4, 2015 76H 151775-00 Page 2 of 3

#### Point of Diversion and Means of Diversion:

ID		Govt Lot	Qtr Sec	Sec	Twp	<u>Rge</u>	<u>County</u>
1			NWSENW	8	6N	19W	RAVALLI
Р	eriod of Diversion	: APRIL 1 TO C	OCTOBER 31				
D	iversion Means:	HEADGATE					
D	itch Name:	WILLOW CRE	EEK LOW DI	тсн			
2			NWSWNE	9	6N	19W	RAVALLI
Р	eriod of Diversion	: APRIL 1 TO C	OCTOBER 31				
D	viversion Means:	HEADGATE					
D	itch Name:	WILLOW CRE	EEK HIGH DI	ТСН			
Period	l of Use:	APRIL 1 TO C	CTOBER 31				
Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1	73.80		W2NW	18	6N	19W	RAVALLI
2	75.73		N2SW	18	6N	19W	RAVALLI
3	71.72		E2SE	12	6N	20W	RAVALLI

#### **Remarks:**

Total:

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.

151769-00	151770-00	151771-00	151772-00	151773-00	151774-00	151775-00
151776-00	151778-00	151779-00				

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151775-00 151784-00

221.25

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/18/1992: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: POINT OF DIVERSION, PERIOD OF DIVERSION, FLOW RATE AND PERIOD OF USE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 30 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 1071-00, 151775-00, 151784-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151776-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
Priority Date:	JUNE 9, 1899
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	201.96 GPM
*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:	221.25
Source Name: Source Type:	WILLOW CREEK SURFACE WATER

DECEMBER 4, 2015 76H 151776-00 Page 2 of 3

#### Point of Diversion and Means of Diversion:

<u>II</u> 1	<u>)</u>	Govt Lot	<u>Qtr Sec</u> NWSENW	<u>Sec</u> 8	<u>Twp</u> 6N		<u>County</u> RAVALLI
I	Period of Diversion:	APRIL 1 TO (		-	OIN	1900	RAVALLI
	<b>Diversion Means:</b>	HEADGATE					
	Ditch Name:	WILLOW CR	EEK LOW DI	ТСН			
2			NWSWNE	9	6N	19W	RAVALLI
	Period of Diversion:	APRIL 1 TO C	OCTOBER 31				
	<b>Diversion Means:</b>	HEADGATE					
	Ditch Name:	WILLOW CREEK HIGH DITCH					
Peri	iod of Use:	APRIL 1 TO C	OCTOBER 31				
Plac	ce of Use:						
II	<u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	73.80		W2NW	18	6N	19W	RAVALLI
2	75.73		N2SW	18	6N	19W	RAVALLI
3	71.72		E2SE	12	6N	20W	RAVALLI

#### **Remarks:**

Total:

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.

151769-00	151770-00	151771-00	151772-00	151773-00	151774-00	151775-00
151776-00	151778-00	151779-00				

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151776-00 151781-00

221.25

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/18/1992: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/06/2015: POINT OF DIVERSION, PLACE OF USE AND MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: POINT OF DIVERSION, PERIOD OF DIVERSION AND PERIOD OF USE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 36 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 1070-00, 151776-00, 151781-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151777-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

**Owners:** 

JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828

DOLORES FOLEY \*\*\*DECEASED\*\*\* 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828

ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828

STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828

**Priority Date:** 

**Enforceable Priority Date:** 

Type of Historical Right:

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: CALF CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/16/2007.

Page 2 of 2

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151778-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
Priority Date:	JUNE 9, 1899
Type of Historical Right	: FILED
*Purpose(use):	IRRIGATION
- Irrigation Type:	FLOOD
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	105.00 AC-FT
Climatic Area	2 - MODERATELY HIGH
Maximum Acres:	221.25
*Source Name: Source Type:	WILLOW CREEK SURFACE WATER
*Source Name: Source Type:	UNNAMED TRIBUTARY OF WILLOW CREEK SURFACE WATER
Source Type	-

DECEMBER 4, 2015 76H 151778-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

	rversion and N			<b>G</b>	<b>T</b>	<b>D</b>	Course for		
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> NWSESW	<u>Sec</u> 6	<u>Twp</u> 6N		<u>County</u> RAVALLI		
•	ce Name:		RIBUTARY C	•		-			
	d of Diversion								
	rsion Means:			50					
	ONDARY	D/ IVI	NWSENW	8	6N	10\//	RAVALLI		
	ce Name:	WILLOW CF	-	0		1300			
	d of Diversion			30					
	rsion Means:	HEADGATE	OEI TEMBER	00					
	Name:		REEK LOW DI	тсн					
	ONDARY		NWSWNE	9	6N	19W	RAVALLI		
	ce Name:	WILLOW CF		Ũ	011	1011			
	d of Diversion			30					
	rsion Means:	HEADGATE							
	Name:		REEK HIGH D	ТСН					
		WATER STO		THIS	RIGHT		LEASED FROM GLEASON LAKE AND		
							IE FOLLOWING SECONDARY POINTS		
							GE 19W AND NWSENW SEC 8 TWP		
		6N RGE 19V	V RAVALLI CO	DUNT	Y.				
*Res	ervoir: ONS	STREAM I	Reservoir Nam	e: GL	EASON	I LAKE	E		
		<u>Govt Lot</u>	<u>Qtr Sec</u> NWSESW	<u>Sec</u> 6	<u>Twp</u> 6N		<u>County</u> RAVALLI		
]	Diversion to Re	eservoir: D	VERSION # 1						
]	Dam Height:	2	20.00 FEET						
	Surface Area:	1	7.50 ACRES	3					
(	Capacity:	10	5.00 ACRE-	FEET					
			SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.						
Period of	Use:		SEPTEMBER	30					
Period of Place of U		APRIL 1 TO		30					
					<u>Twp</u>	<u>Rge</u>	<u>County</u>		
Place of U	Jse:	APRIL 1 TO	SEPTEMBER		<u>Twp</u> 6N		<u>County</u> RAVALLI		
Place of U <u>ID</u>	Jse: <u>Acres</u>	APRIL 1 TO	SEPTEMBER <u>Qtr Sec</u>	<u>Sec</u>		19W			
Place of U <u>ID</u> 1	Jse: <u>Acres</u> 73.80	APRIL 1 TO	SEPTEMBER <u>Qtr Sec</u> W2NW	<u>Sec</u> 18	6N	19W 19W	RAVALLI		
Place of U <u>ID</u> 1 2	lse: <u>Acres</u> 73.80 75.73	APRIL 1 TO	SEPTEMBER <u>Qtr Sec</u> W2NW N2SW	<u>Sec</u> 18 18	6N 6N	19W 19W	RAVALLI RAVALLI		

#### **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.

151769-00 151770-00 151771-00 151772-00 151773-00 151774-00 151775-00 151776-00 151778-00 151779-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/18/1992: PLACE OF USE, MAXIMUM ACRES, VOLUME.

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 01/06/2015.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151779-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
Priority Date:	JANUARY 1, 1903
Type of Historical Right:	USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	2.25 CFS
*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:	221.25
Source Name: Source Type:	CALF CREEK SURFACE WATER ALSO KNOWN AS COW CREEK

DECEMBER 4, 2015 76H 151779-00 Page 2 of 3

Poir	Point of Diversion and Means of Diversion:							
ID	<u>)</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>	
1			SESENW	18	6N	19W	RAVALLI	
	<b>Period of Diversion</b>	: MARCH 15 T	O NOVEMBE	R 15				
	<b>Diversion Means:</b>	HEADGATE						
2			NWNWSE	18	6N	19W	RAVALLI	
	<b>Period of Diversion</b>	: MARCH 15 T	O NOVEMBE	R 15				
	<b>Diversion Means:</b>	HEADGATE						
3			SENESE	12	6N	20W	RAVALLI	
	Period of Diversion	: MARCH 15 T	O NOVEMBE	R 15				
	<b>Diversion Means:</b>	HEADGATE						
Period of Use:		MARCH 15 TO NOVEMBER 15						
Plac	e of Use:							
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>	
1	73.80		W2NW	18	6N	19W	RAVALLI	
2	75.73		N2SW	18	6N	19W	RAVALLI	
3	71.72		E2SE	12	6N	20W	RAVALLI	
Tot	al: 221.25							

#### 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.

151769-00	151770-00	151771-00	151772-00	151773-00	151774-00	151775-00
151776-00	151778-00	151779-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/16/2007: POINT OF DIVERSION, PLACE OF USE, FLOW RATE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/06/2015: PLACE OF USE, MAXIMUM ACRES AND TYPE OF RIGHT.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: FLOW RATE, VOLUME AND TYPE OF RIGHT.

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 06/18/1992.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151780-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
Priority Date:	JULY 1, 1891
Type of Historical Right	: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

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**Point of Diversion and Means of Diversion:** 

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NWSENW	<u>Sec</u> 8	<u>Twp</u> 6N	<u>Rge</u> 19W	<u>County</u> RAVALLI
· Peri	od of Diversion	NOVEMBER		Ũ	0.1		
Dive	ersion Means:	HEADGATE					
Ditc	h Name:	WILLOW CRE	EEK LOW DI	тсн			
2			NWSWNE	9	6N	19W	RAVALLI
Peri	od of Diversion	NOVEMBER	1 TO MARCH	131			
Dive	ersion Means:	HEADGATE					
Ditch Name:		WILLOW CREEK HIGH DITCH					
Period of	f Use:	NOVEMBER 1 TO MARCH 31					
Place of	Use:						
ĪD	Acres	Govt Lot	<b>Qtr Sec</b>	Sec	Twp	Rge	<b>County</b>
1			W2NW	18	6N	19W	RAVALLI
2			N2SW	18	6N	19W	RAVALLI
3			E2SE	12	6N	20W	RAVALLI

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151770-00 151780-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/16/2007: POINT OF DIVERSION AND PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, FLOW RATE, PERIOD OF USE, PRIORITY DATE AND TYPE OF RIGHT.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 01/06/2015.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED 3/30/2015 TO AMEND THE POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, FLOW RATE, PERIOD OF USE, PRIORITY DATE AND TYPE OF RIGHT . THE AMENDMENT SUBSTANTIALLY CHANGES THE ORIGINALLY FILED STATEMENT OF CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 20 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 1069-00, 151770-00, 151780-00.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A FILED APPROPRIATION RIGHT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151781-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
Priority Date:	JUNE 9, 1899
Type of Historical Righ	t: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

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**Point of Diversion and Means of Diversion:** 

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NWSENW	<u>Sec</u> 8	<u>Twp</u> 6N	<u>Rge</u> 19W	<u>County</u> RAVALLI
· Peri	od of Diversion	NOVEMBER		Ũ	0.1		
Dive	ersion Means:	HEADGATE					
Ditc	h Name:	WILLOW CRE	EEK LOW DI	тсн			
2			NWSWNE	9	6N	19W	RAVALLI
Peri	od of Diversion	NOVEMBER	1 TO MARCH	131			
Dive	ersion Means:	HEADGATE					
Ditc	h Name:	WILLOW CRE	EEK HIGH DI	TCH			
Period of	f Use:	NOVEMBER 1 TO MARCH 31					
Place of	Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			W2NW	18	6N	19W	RAVALLI
2			N2SW	18	6N	19W	RAVALLI
3			E2SE	12	6N	20W	RAVALLI

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151776-00 151781-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, FLOW RATE, PERIOD OF USE, PRIORITY DATE AND TYPE OF RIGHT.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED 3/30/2015 TO AMEND THE POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, FLOW RATE, PERIOD OF USE, PRIORITY DATE AND TYPE OF RIGHT . THE AMENDMENT SUBSTANTIALLY CHANGES THE ORIGINALLY FILED STATEMENT OF CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 36 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 1070-00, 151776-00, 151781-00.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A FILED APPROPRIATION RIGHT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151782-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
Priority Date:	JUNE 9, 1888
Type of Historical Right	t: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

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**Point of Diversion and Means of Diversion:** 

<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> NWSENW	<u>Sec</u> 8	<u>Twp</u> 6N	<u>Rge</u> 19W	<u>County</u> RAVALLI
Period of Di	version: NOVEMBER	1 TO MARCH	131			
<b>Diversion</b> M	leans: HEADGATE					
Ditch Name:	: WILLOW CRE	EEK LOW DI	ТСН			
2		NWSWNE	9	6N	19W	RAVALLI
Period of Di	version: NOVEMBER	1 TO MARCH	131			
<b>Diversion</b> M	leans: HEADGATE					
Ditch Name:	: WILLOW CRE	EEK HIGH DI	TCH			
Period of Use:	NOVEMBER 1	NOVEMBER 1 TO MARCH 31				
Place of Use:						
<u>ID</u> <u>Ac</u>	cres <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1		W2NW	18	6N	19W	RAVALLI
2		N2SW	18	6N	19W	RAVALLI
3		E2SE	12	6N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151773-00 151782-00

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, FLOW RATE, PERIOD OF USE, PRIORITY DATE AND TYPE OF RIGHT.

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 01/16/2007.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED 3/30/2015 TO AMEND THE POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, FLOW RATE, PERIOD OF USE, PRIORITY DATE AND TYPE OF RIGHT. THE AMENDMENT SUBSTANTIALLY CHANGES THE ORIGINALLY FILED STATEMENT OF CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 10 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 1065-00, 151773-00, 151782-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151783-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
*Priority Date:	DECEMBER 31, 1907
*Type of Historical Right	: FILED
Purpose(use):	STOCK
Flow Rate:	10.00 GPM
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	SPRING, UNNAMED TRIBUTARY OF CHARLEYS GULCH
Source Type:	GROUNDWATER

Water Bight Number 76H 151783-00 STATEMENT OF CLAIM

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\*Point of Diversion and Means of Diversion: ID Govt Lot Qtr Sec Twp **Rge** County Sec 1 NESWNW 18 6N 19W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** PIPELINE **JANUARY 1 TO DECEMBER 31 Period of Use:** \*Place of Use: ID Acres Govt Lot Qtr Sec Sec Twp **Rge** County 1 NESWNW 19W RAVALLI 18 6N

#### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151784-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
<b>Priority Date:</b>	JUNE 1, 1862
Type of Historical Right	DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

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Point of Diversion and Means of Diversion:

<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> NWSENW	<u>Sec</u> 8	<u>Twp</u> 6N	<u>Rge</u> 19W	<u>County</u> RAVALLI		
·	rsion: NOVEMBER 1		Ũ		1300			
<b>Diversion Mea</b>	ns: HEADGATE							
Ditch Name:	WILLOW CRE	EK LOW DI	ТСН					
2		NWSWNE	9	6N	19W	RAVALLI		
Period of Diver	rsion: NOVEMBER 1	TO MARCH	131					
<b>Diversion Mea</b>	ns: HEADGATE							
<b>Ditch Name:</b>	WILLOW CRE	WILLOW CREEK HIGH DITCH						
Period of Use:	NOVEMBER 1	TO MARCH	31					
Place of Use:								
<u>ID</u> <u>Acre</u>	s <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>		
1		W2NW	18	6N	19W	RAVALLI		
2		N2SW	18	6N	19W	RAVALLI		
3		E2SE	12	6N	20W	RAVALLI		

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151775-00 151784-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/30/2015: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, FLOW RATE AND PERIOD OF USE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 30 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 1071-00, 151775-00, 151784-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151784-00 Page 3 of 3

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151785-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	STEPHEN R FOLEY
Owners:	1193 HAMILTON HTS RD CORVALLIS, MT 59828
	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
Priority Date:	NOVEMBER 11, 1907
Type of Historical Righ	t: FILED
Purpose(use):	STOCK
Flow Rate:	10.00 GPM
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	SPRING, UNNAMED TRIBUTARY OF CHARLEYS GULCH
Source Type:	GROUNDWATER

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> Point of Diversion and Means of Diversion: ID **Govt Lot** Qtr Sec Twp **Rge** County Sec 1 NENWSW 18 6N 19W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** PIPELINE **JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Acres Govt Lot Qtr Sec Sec Twp **Rge** County 1 NWNWSW 19W RAVALLI 18 6N

Remarks:

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 3/30/2015.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.** 

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR **EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN** ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND **RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED** IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151786-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	ROBERT G FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	JAMES M FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
	DOLORES FOLEY ***DECEASED*** 1193 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	STEPHEN R FOLEY 1193 HAMILTON HTS RD CORVALLIS, MT 59828
*Priority Date:	DECEMBER 31, 1904
Type of Historical Right	t: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	UNNAMED TRIBUTARY OF CHARLEYS GULCH
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 151786-00 Page 2 of 2

\*Point of Diversion and Means of Diversion: **Govt Lot** ID Qtr Sec Sec Twp **Rge** County 1 SENWSW 18 6N 19W RAVALLI \*Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM. **ONSTREAM** \*Reservoir: **Govt Lot** Otr Sec Sec Twp **Rge** County SENWSW 19W RAVALLI 18 6N **DIVERSION #1 Diversion to Reservoir:** 16.00 FEET Dam Height: 12.00 FEET Depth: Surface Area: 0.50 ACRES **Capacity:** 2.40 ACRE-FEET SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. **APRIL 15 TO OCTOBER 15** Period of Use: \*Place of Use: ID Govt Lot Acres Qtr Sec Sec Twp Rge County 1 SENWSW 18 6N 19W RAVALLI THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.** 

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151790-0	DO STATE	MENT	OF CL	AIM	
	Version: 1	ORIGINAL	RIGH	Т		
	St	tatus: A	CTIVE			
Owners:	THE GERBER PATRICK A C 101 MONTGC SAN FRANCI	AHILL, TRUS MERY ST, S	UITE			
Priority Date:	DECEMBER 3	31, 1924				
Type of Historical Right	: USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS O DITCH SYSTE	F STOCK DF EM. THE FLO	RINKIN OW R	IG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	STOCK WATE ANIMAL UNIT	Ering Purf . Animal ui	POSES	S AT TH SHALL I	HE RAT BE BAS	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER
Source Name:	UNNAMED T	RIBUTARY (	OF AM	IBROSE	E CREI	ΞK
Source Type:	SURFAC	E WATER				
Point of Diversion and	Means of Diversi	ion:				
ID 1	Govt Lot	<u>Qtr Sec</u>	Sec	<u>Twp</u>		County
1 Period of Diversion			24 ED 21	9N	1977	RAVALLI
Diversion Means:	DITCH		ER 31			
Period of Use:	JANUARY 1 T	O DECEMB	ER 31			
Place of Use:						
ID <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1		NWNENW	24	9N	19W	RAVALLI

### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/17/2014: PURPOSE, POINT OF DIVERSION, PERIOD OF DIVERSION, MEANS OF DIVERSION, MEANS OF CONVEYANCE, PLACE OF USE, PERIOD OF USE, PRIORITY DATE.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED 11/17/2014 TO AMEND THE PURPOSE, POINT OF DIVERSION, PERIOD OF DIVERSION, MEANS OF DIVERSION, MEANS OF CONVEYANCE, PLACE OF USE, PERIOD OF USE AND PRIORITY DATE. THE AMENDMENT SUBSTANTIALLY CHANGES THE ORIGINALLY FILED STATEMENT OF CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	76H 151791-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	RODERIC B LUCAS 4821 LONGLEY LN STEVENSVILLE, MT 59870
	BARBARA P LUCAS 4821 LONGLEY LN STEVENSVILLE, MT 59870
*Priority Date:	DECEMBER 31, 1936
Type of Historical Right	: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	THREEMILE CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWNESE2610N19WRAVALLI
Period of Diversion Diversion Means:	: SEPTEMBER 1 TO MAY 31 HEADGATE
Period of Use:	SEPTEMBER 1 TO MAY 31

DECEMBER 4, 2015 76H 151791-00 Page 2 of 2

### \*Place of Use:

ĪD	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge County
1			SESESE	28	10N	19W RAVALLI

### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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Water Right Number:	76H 151792-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	WARREN W ANDERSON 1302 SLEEPING CHILD RD HAMILTON, MT 59840				
Priority Date:	JUNE 19, 1899				
Type of Historical Right	: FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER				
*Flow Rate:	34.00 GPM				
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Areas	: 3 - MODERATE				
Maximum Acres:	1.00				
Source Name:	SLEEPING CHILD CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and N	Aeans of Diversion:				
<u>ID</u> 1	Govt Lot Qtr Sec Sec Twp Rge County				
	NWSWSE 30 5N 20W RAVALLI : MAY 1 TO OCTOBER 1				
Diversion Means:	HEADGATE				
Ditch Name:	BLODGETT-CULLER-GRILL DITCH				
Period of Use:	MAY 1 TO OCTOBER 1				

### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>Co</u>	unty
1	1.00	1	S2NWNW	30	5N	20W RA	VALLI
Total:	1.00						

### **Remarks:**

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 08/28/1990.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	76H 151797-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	LOIS E PERSON 381 PINE HOLLOW RD STEVENSVILLE, MT 59870 6720						
	ROBERT E PERSON 381 PINE HOLLOW RD STEVENSVILLE, MT 59870 6720						
*Priority Date:	DECEMBER 31, 1930						
*Type of Historical Right	: FILED						
Purpose(use):	DOMESTIC						
Flow Rate:	22.44 GPM						
Volume:	2.00 AC-FT						
Households:	1						
Maximum Acres:	0.25						
*Source Name:	SPRING, UNNAMED TRIBUTARY OF PINE HOLLOW GULCH						
Source Type:	GROUNDWATER						
*Point of Diversion and M	Means of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWSWNE28N20WRAVALLI						
Period of Diversion Diversion Means:	I: JANUARY 1 TO DECEMBER 31 SPRING BOX						
Period of Use:	JANUARY 1 TO DECEMBER 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 0.25	NWSWNE 2 8N 20W RAVALLI						
<b>Total:</b> 0.25							

### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151797-00 151801-00

CLAIM FILED 09/16/1982 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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### **IMPORTANT NOTICE**

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## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 151798-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE						
Owners:	LOIS E PERSON 381 PINE HOLLOW RD STEVENSVILLE, MT 59870 6720						
	ROBERT E PERSON 381 PINE HOLLOW RD STEVENSVILLE, MT 59870 6720						
Priority Date:	JULY 24, 1937						
Type of Historical Right	FILED						
Purpose(use):	IRRIGATION						
Irrigation Type:	FLOOD						
Flow Rate:	1.13 CFS						
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
Climatic Areas	3 - MODERATE						
Maximum Acres:	70.00						
Source Name: Source Type:	UNNAMED TRIBUTARY OF BITTERROOT RIVER SURFACE WATER						
Point of Diversion and N	Jeans of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNENENE118N20WRAVALLI						
Period of Diversion Diversion Means:	: MAY 1 TO SEPTEMBER 15 DIVERSION DAM						
Period of Use:	MAY 1 TO SEPTEMBER 15						

DECEMBER 4, 2015 76H 151798-00 Page 2 of 2

### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1	12.00		SWNE	2	8N	20W	RAVALLI
2	9.50		SENW	2	8N	20W	RAVALLI
3	31.80		NWSE	2	8N	20W	RAVALLI
4	16.70		NESW	2	8N	20W	RAVALLI
Total:	70.00						

### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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Water Right Number:	76H 151799-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	MICHAEL R WILTON PO BOX 434 STEVENSVILLE, MT 59870 0434				
Priority Date:	FEBRUARY 17, 1964				
Type of Historical Right	t: FILED				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
*Source Name:	SPRING, UNNAMED TRIBUTARY OF PINE HOLLOW GULCH				
Source Type:	SURFACE WATER				
Point of Diversion and	Means of Diversion:				
<u>ID</u> 1	Govt Lot <u>Qtr Sec Sec Twp Rge</u> County NWNWSW 1 8N 20W RAVALLI				
	n: JANUARY 1 TO DECEMBER 31				
<b>Diversion Means:</b>	LIVESTOCK DIRECT FROM SOURCE				
Period of Use:	JANUARY 1 TO DECEMBER 31				
*Place of Use:					
<u>ID</u> <u>Acres</u>	Govt Lot <u>Qtr Sec Sec Twp Rge</u> County				
1	NWNWSW 1 8N 20W RAVALLI				

### Remarks:

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

POINT OF DIVERSION AND PLACE OF USE ARE LOCATED IN PARCEL 2A OF CERTIFICATE OF SURVEY NO. 620283-F.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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Water Right Number:	76H 151800	-00 STATE	MENT	OF CL	AIM	
	Version: 1	ORIGINAL	_			
	S	Status: A	CTIVE			
Owners:	DOUGLAS J PO BOX 547 WEST GLAC		6 054	7		
*Priority Date:	DECEMBER	31, 1952				
Type of Historical Righ	t: USE					
Purpose(use):	LAWN AND	GARDEN				
Flow Rate:	22.44 GPM					
*Volume:	0.63 AC-FT					
Climatic Area	<b>1:</b> 3 - MODERA	TE				
Maximum Acres:	0.25					
Source Name:	PINE HOLLC	W GULCH				
Source Type:	SURFA	CE WATER				
*Point of Diversion and	Means of Divers	sion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NESWNE	<u>Sec</u> 2	<u>Twp</u> 8N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	n: JANUARY 1 OTHER	TO DECEMB	ER 31			
	MEANS OF I	DIVERSION I	NCLUI	DES A	CEME	NT TANK AND PIPELINE.
	THE POINT OF DIVERSION IS LOCATED IN PARCEL A OF CERTIFICATE OF SURVEY NO. 470109-TR.					
Period of Use:	JANUARY 1	TO DECEMBE	ER 31			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1 0.25	2 5	SESWNWNE	2	8N	20W	RAVALLI

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\*Place of Use:

<u>ID</u> <u>Acres</u> <u>Govt Lot</u> <u>Qtr Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>

**Total:** 0.25

THE PLACE OF USE IS LOCATED IN PARCEL A1 OF CERTIFICATE OF SURVEY NO. 592883-R.

### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/17/2000: PURPOSE, PLACE OF USE, MAXIMUM ACRES.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AS OF 08/03/2007 , THIS WATER RIGHT APPEARS TO BE OWNED BY JOE WAHRER , 2353 S SUNSET BENCH RD , STEVENSVILLE, MT , 59870-6822.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL PERIOD OF USE FOR THE CLAIMED PURPOSE WHICH IS APRIL 15 TO OCTOBER 15.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE CEMENT TANK CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151801	-00 STATE	MENT	OF CL	AIM		
	Version: 1	ORIGINAL	RIGH	Т			
	S	Status: A	CTIVE				
Owners:	ROBERT E F 381 PINE HO STEVENSVI		0 6720	D			
	LOIS E PER 381 PINE HO STEVENSVI		0 6720	D			
*Priority Date:	DECEMBER	31, 1930					
*Type of Historical Righ	t: FILED						
Purpose(use):	STOCK						
Flow Rate:	44.88 GPM						
*Volume:	STOCK WAT ANIMAL UNI	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE					
*Source Name:	SPRING, UN	INAMED TRI	BUTAF	RY OF	PINE H	IOLLOW GULCH	
Source Type:	GROUN	NDWATER					
*Point of Diversion and	Means of Diver	sion:					
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> NWSWNE	<u>Sec</u> 2	<u>Twp</u> 8N		<u>County</u> RAVALLI	
Period of Diversio Diversion Means:	n: JANUARY 1 SPRING BO		ER 31				
Period of Use:	JANUARY 1	TO DECEMBI	ER 31				
*Place of Use:							
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	County	
1		NWSWNE	2	8N	20W	RAVALLI	

### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151797-00 151801-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 151813-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MARY E JETTE 4467 TRIPP LN STEVENSVILLE, MT 59870
	WILLIAM J JETTE 4467 TRIPP LN STEVENSVILLE, MT 59870
*Priority Date:	MAY 31, 1972
Type of Historical Right	: USE
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
*Flow Rate:	85.00 GPM
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	5.00
*Source Name:	GROUNDWATER
Source Type:	GROUNDWATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESW 6 9N 19W RAVALLI
Period of Diversion	: MAY 1 TO OCTOBER 15
<b>Diversion Means:</b>	WELL
Subdivision:	SUNNYSIDE ORCHARDS TRACT/LOT: 22 BLOCK: 5
Period of Use:	MAY 1 TO OCTOBER 15

DECEMBER 4, 2015 76H 151813-00 Page 2 of 2

### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	5.00		SENESW	6	9N	19W	RAVALLI
	Subdivision:	SUNNYSIDE C	DRCHARDS	TRA	CT/LO	T: 22	BLOCK: 5
Total	: 5.00						

### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 15181	7-00	STATE	MENT	OF CL	AIM	
	Version:	1 O	RIGINAL	RIGH	IT		
		Statu	s: A	CTIVE			
Owners:	RASMUSS 868 WILLC STEVENS	UGHE	BY LN				
*Priority Date:	DECEMBE	R 31, ′	1956				
Type of Historical Right	: USE						
Purpose(use):	STOCK						
*Flow Rate:	2.50 GPM						
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.						
*Source Name:	SPRING, L	JNNAN		BUTAF	RY OF	SOUTH	I WILLOUGHBY CREEK
Source Type:	GRO	JNDW	ATER				
*Point of Diversion and M	Aeans of Dive	ersion:					
<u>ID</u> 1	<u>Govt Lot</u>	SE	<u>Qtr Sec</u> NWNW	<u>Sec</u> 29	<u>Twp</u> 8N		<u>County</u> RAVALLI
Period of Diversion	: JANUARY	1 TO I	DECEMB	ER 31			
<b>Diversion Means:</b>	PUMP						
Period of Use:	JANUARY	1 TO [	DECEMBI	ER 31			
*Place of Use:							
<u>ID</u> <u>Acres</u>	Govt Lot		<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1			NWNW	29	8N	19W	RAVALLI

### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 151818-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	BIG SKY RANCH LLC 653 CAMP 3 LN CORVALLIS, MT 59828
	RASMUSSEN LEGACY LLC 868 WILLOUGHBY LN STEVENSVILLE, MT 59870 OWNER RASMUSSEN LEGACY LLC RETAINED. CONTRACT FOR DEED INTEREST.
*Priority Date:	DECEMBER 31, 1910
Type of Historical Right	t: USE
Purpose(use):	STOCK
Flow Rate:	2.43 GPM
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	SPRING, UNNAMED TRIBUTARY OF SPOONER CREEK
Source Type:	GROUNDWATER
*Point of Diversion and	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESESE57N19WRAVALLI
	a: JANUARY 1 TO DECEMBER 31
<b>Diversion Means:</b>	SPRING BOX
Period of Use:	JANUARY 1 TO DECEMBER 31

### Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	<b>County</b>
1			NESESE	5	7N	19W	RAVALLI

### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	76H 151819-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	CHAPLA FAMILY TRUST 127 EL CAPITAN LOOP STEVENSVILLE, MT 59870 6002						
<b>*Priority Date:</b>	MAY 10, 1930						
Type of Historical Right	USE						
Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER						
*Flow Rate:	51.00 GPM						
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.						
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
Climatic Area	: 3 - MODERATE						
Maximum Acres:	3.00						
*Source Name:	SPRING, UNNAMED TRIBUTARY OF BITTERROOT RIVER						
Source Type:	GROUNDWATER						
*Point of Diversion and M	Aeans of Diversion:						
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSENW 30 10N 19W RAVALLI						
*Period of Diversion	: JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b>	DEVELOPED SPRING						
Subdivision:	EAGLE WATCH SUBD TRACT/LOT: 26						
Ditch Name:							
	PUMP IS SECONDARY MEANS OF DIVERSION.						
	THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.						

DECEMBER 4, 2015 76H 151819-00 Page 2 of 2

**Reservoir:** OFFSTREAM

3.00

		<u>Govt Lot</u>	-	<u>Qtr Sec</u> SENW	<u>Sec</u> 30	<u>Twp</u> 10N	<u>Rge</u> 19W	<u>County</u> RAVALLI
	Diversion to Re Depth:	eservoir: C		SION # 1 FEET				
	Surface Area:		0.01	ACRES	6			
	Capacity:		0.03	ACRE-	FEET			
Period o	of Use:	APRIL 1 TO	NOVE	MBER 1				
Place of	Use:							
ID	Acres	Govt Lot	<u>(</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	3.00		NW	SENW	30	10N	19W	RAVALLI

# Subdivision: EAGLE WATCH SUBD TRACT/LOT: 26

Total:

### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2004: PURPOSE, SOURCE, POINT OF DIVERSION, MEANS OF DIVERSION, MEANS OF CONVEYANCE, PLACE OF USE, FLOW RATE, VOLUME, PERIOD OF USE, PRIORITY DATE, TYPE OF RIGHT.

THE RESERVOIR WAS AMENDED BY THE CLAIMANT ON 08/10/2004.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 151820-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
	Late Claim: A
Owners:	WILLIAM M HALTERMAN 572 FOLEY LN HAMILTON, MT 59840
	ROXANNE E HALTERMAN 572 FOLEY LN HAMILTON, MT 59840
Priority Date:	APRIL 1, 1887
	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.
Type of Historical Right	: DECREED
*Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	1.33 CFS
*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:	53.00
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 151820-00 Page 2 of 3

\*Point of Diversion and Means of Diversion: **Govt Lot** ID Qtr Sec Sec Twp **Rge** County 1 SWSENW 8 5N 20W RAVALLI Period of Diversion: APRIL 1 TO OCTOBER 1 **Diversion Means:** HEADGATE **Ditch Name: ROBBINS DITCH** 2 **NWNESW** 8 5N 20W RAVALLI Period of Diversion: APRIL 1 TO OCTOBER 1 **Diversion Means: HEADGATE Ditch Name:** HEDGE DITCH 20W RAVALLI 3 NESWNE 16 5N Period of Diversion: APRIL 1 TO OCTOBER 1 **Diversion Means:** HEADGATE REESER DITCH **Ditch Name:** 4 NWNWNW 16 5N 20W RAVALLI Period of Diversion: APRIL 1 TO OCTOBER 1 **Diversion Means:** HEADGATE THOMPSON DITCH **Ditch Name:** 5 - SECONDARY 8 5N 20W RAVALLI SESENW Period of Diversion: APRIL 1 TO OCTOBER 1 **Diversion Means:** PUMP WATER DIVERTED FROM SKALKAHO CREEK IS CONVEYED TO THE THOMPSON DITCH WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE SESENW SEC 8 TWP 5N RGE 20W RAVALLI COUNTY. **Period of Use: APRIL 1 TO OCTOBER 1** Place of Use: ID **Govt Lot** Qtr Sec **Rge** County Acres Sec Twp 1 30.00 SWNE 8 5N 20W RAVALLI 2 23.00 SENW 8 5N 20W RAVALLI 53.00 Total:

### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/23/2015: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE, FLOW RATE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/1997.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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### **IMPORTANT NOTICE**

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Water Right Number:	76H 151829-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	DONNA L GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808
	ORVAL W GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808
Priority Date:	MAY 1, 1866
Type of Historical Right	: DECREED
Purpose(use):	FISH AND WILDLIFE
Flow Rate:	12.34 GPM
Volume:	10.00 AC-FT
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI
Period of Diversior	: JANUARY 1 TO DECEMBER 31
Diversion Means: Ditch Name:	HEADGATE HEDGE DITCH
2 - SECONDARY	NWNWNE 8 5N 20W RAVALLI
	a: JANUARY 1 TO DECEMBER 31
Diversion Means: Ditch Name:	HEADGATE REESER DITCH
Ditti Mane.	WATER FROM HEDGE DITCH IS CONVEYED THROUGH REESER DITCH TO THE PLACE OF USE.

THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20W THE POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		١	WNENE	6	5N	20W	RAVALLI
	Subdivision:	W AND R ADD	TRACT/L	OT: 4	BLOC	K: 2	

### Remarks:

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

151682-00 151829-00 151830-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 79.42 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5526-00, 10142-00, 21195-00, 21197-00, 21218-00, 21221-00, 21989-00, 99689-00, 99941-00, 99942-00, 99944-00, 99945-00, 105257-00, 105293-00, 107441-00, 107442-00, 111243-00, 111246-00, 111248-00, 114603-00, 131636-00, 131638-00, 147842-00, 147843-00, 148075-00, 148076-00, 148178-00, 148180-00, 148183-00, 148233-00, 148251-00, 148252-00, 149048-00, 149049-00, 149053-00, 149055-00, 149829-00, 151048-00, 151050-00, 151678-00, 151681-00, 151682-00, 151829-00, 153806-00, 211175-00, 211705-00, 211706-00, 211708-00, 211709-00.

THE CAPACITY OF THE DIVERSION AND CONVEYANCE SYSTEM CANNOT BE DETERMINED AND THE FLOW RATE REMAINS AS ORIGINALLY CLAIMED. THE CLAIMED FLOW RATE CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE FLOW RATE WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

THE BASIS OF THIS CLAIMED WATER RIGHT WAS NOT FOUND IN THE DECREE FROM CASE NO. 2149, RAVALLI COUNTY. THE CLAIMED PRIORITY DATE CANNOT BE CONFIRMED.

THE CLAIMED PURPOSE DOES NOT MATCH THE FORMERLY DECREED PURPOSE. CASE NO. 2149, RAVALLI COUNTY DECREED THE USE AS IRRIGATION.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

THE VOLUME OF THIS CLAIM CANNOT BE DETERMINED FROM AVAILABLE INFORMATION, AND VOLUME REMAINS AS ORIGINALLY CLAIMED. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 151830-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: DONNA L GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808

> ORVAL W GASTINEAU 5405 BONANZA PL MISSOULA, MT 59808

Priority Date: MAY 1, 1875

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/15/1982 . 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.

Type of Historical Right: DECREED

Purpose(use):	FISH AND WILDLIFE
Flow Rate:	13.46 GPM
Volume:	10.00 AC-FT

\*Source Name: SKALKAHO CREEK Source Type: SURFACE WATER

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1		NWNESW	8	5N	20W	RAVALLI
Period of Diversion: JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	HEDGE DITO	СН				

**DECEMBER 4, 2015** 76H 151830-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

IDGovt LotQtr SecSecTwpRgeCounty2 - SECONDARYNWNWNE85N20WRAVALLIPeriod of Diversion:JANUARY 1 TO DECEMBER 31Diversion Means:HEADGATEDitch Name:REESER DITCHWATER FROM HEDGE DITCH IS CONVEYED THROUGH REESER DITCH 1PLACE OF USE.THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THISIS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATEREXCHANGE, WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR	
Period of Diversion:  JANUARY 1 TO DECEMBER 31    Diversion Means:  HEADGATE    Ditch Name:  REESER DITCH    WATER FROM HEDGE DITCH IS CONVEYED THROUGH REESER DITCH 1    PLACE OF USE.    THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20    POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THIS    IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER	
Diversion Means:  HEADGATE    Ditch Name:  REESER DITCH    WATER FROM HEDGE DITCH IS CONVEYED THROUGH REESER DITCH TO    PLACE OF USE.    THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20    POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THE    IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER	
Ditch Name:  REESER DITCH    WATER FROM HEDGE DITCH IS CONVEYED THROUGH REESER DITCH THE PLACE OF USE.    THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20    POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THE IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER	
WATER FROM HEDGE DITCH IS CONVEYED THROUGH REESER DITCH T PLACE OF USE. THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20 POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THIS IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER	
PLACE OF USE. THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20 POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THI IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER	
POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THI IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER	O THE
WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKA LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIG DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RA CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).	S CLAIM R HO HI : 15 T5N THE N ATION
Period of Use: JANUARY 1 TO DECEMBER 31	
Place of Use: ID Acres Govt Lot Qtr Sec Sec Twp Rge County	

<u>ID</u>	<u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1			NWNENE	6	5N	20W	RAVALLI
	Subdivision:	W AND R ADD	TRACT/L	OT: 4	BLOC	CK: 2	

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151679-00 151680-00 151830-00

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

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION **OF THIS WATER RIGHT CLAIM.**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

151682-00 151829-00 151830-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 127.08 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4602-00, 6051-00, 6613-00, 10141-00, 10143-00, 10144-00, 10145-00, 21194-00, 21196-00, 21219-00, 21220-00, 21988-00, 29177-00, 29178-00, 99690-00, 99940-00, 99943-00, 100556-00, 111242-00, 111244-00, 111247-00, 114606-00, 131635-00, 131637-00, 147840-00, 147844-00, 148074-00, 148077-00, 148179-00, 148181-00, 148182-00, 148232-00, 148249-00, 148253-00, 149050-00, 149051-00, 149052-00, 149054-00, 149830-00, 151047-00, 151049-00, 151396-00, 151679-00, 151680-00, 151830-00, 153805-00, 211174-00, 211707-00.  DECEMBER 4, 2015

76H 151830-00

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THE CAPACITY OF THE DIVERSION AND CONVEYANCE SYSTEM CANNOT BE DETERMINED AND THE FLOW RATE REMAINS AS ORIGINALLY CLAIMED. THE CLAIMED FLOW RATE CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE FLOW RATE WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

CLAIM FILED LATE 09/15/1982 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE BASIS OF THIS CLAIMED WATER RIGHT WAS NOT FOUND IN THE DECREE FROM CASE NO. 2149 , RAVALLI COUNTY. THE CLAIMED PRIORITY DATE CANNOT BE CONFIRMED.

THE CLAIMED PURPOSE DOES NOT MATCH THE FORMERLY DECREED PURPOSE. CASE NO. 2149, RAVALLI COUNTY DECREED THE USE AS IRRIGATION.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

THE VOLUME OF THIS CLAIM CANNOT BE DETERMINED FROM AVAILABLE INFORMATION, AND VOLUME REMAINS AS ORIGINALLY CLAIMED. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 151844-00 STATEMENT OF CLAIM	
	Version: 1 ORIGINAL RIGHT	
	Status: ACTIVE	
Owners:	KAY E CREECH AND RANDOLPH S CREECH CO-TRUSTEES PO BOX 29 STEVENSVILLE, MT 59870 0029	
Priority Date:	DECEMBER 31, 1966	
Type of Historical Right	USE	
Purpose(use):	FISH AND WILDLIFE	
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS U ONSTREAM RESERVOIR.	SE FROM THIS
Volume:	2.00 AC-FT	
Source Name:	HAACKE CREEK	
Source Type:	SURFACE WATER	
Point of Diversion and I	eans of Diversion:	
<u>ID</u> 1	Govt Lot <u>Qtr Sec</u> Sec Twp <u>Rge</u> County	
-	SESENE 14 8N 19W RAVALLI JANUARY 1 TO DECEMBER 31	
Diversion Means:	DAM	
Reservoir: ON	TREAM	
	Govt LotQtr SecSecTwpRgeCountySESENE148N19WRAVALLI	
Diversion to R	servoir: DIVERSION # 1	
Dam Height:	10.00 FEET	
Depth:	10.00 FEET	
Surface Area:	0.25 ACRES	
Capacity:	1.00 ACRE-FEET	
	SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR AD RESERVOIR DATA.	DITIONAL

DECEMBER 4, 2015

76H 151844-00

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Decree Report - Page 6398

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1			SESENE	14	8N	19W	RAVALLI

#### Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME RESERVOIR.

108725-00 151844-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/10/1997: PURPOSE, POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, FLOW RATE, VOLUME, PERIOD OF USE, PRIORITY DATE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151845-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	SHIRLEY A MILNER 204 ROSE LN HAMILTON, MT 59840
	DAVID R MILNER 204 ROSE LN HAMILTON, MT 59840
Priority Date:	MAY 1, 1875
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	4.49 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	0.50
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENENW 7 5N 20W RAVALLI
Period of Diversion Diversion Means: Ditch Name:	: MAY 1 TO OCTOBER 1 HEADGATE REPUBLICAN DITCH

#### \*Point of Diversion and Means of Diversion:

Tom	of Diversion and N	leans of Diversi	011.				
<u>ID</u>		<u>Govt Lot</u>	<u>Qtr Sec</u>		Twp		<u>County</u>
2 -	SECONDARY		SWNWSE	6	5N	20W	RAVALLI
I	Period of Diversion	: MAY 1 TO OC	TOBER 1				
Ι	Diversion Means:	HEADGATE					
Ι	Ditch Name:	SLOW DITCH					
		WATER FROI THE PLACE C		CAN D	ITCH IS	S CON	VEYED THROUGH SLOW DITCH TO
		POINT WHER CLAIM IS PAF EXCHANGE. WATER FROI LINE (SWSW R20W). THE I PETITION FO DISTRICT IN	E THE REP TOF THE S WATER FRO M SKALKAH NE SEC 30 EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	UBLIC SKALK OM TH O CRI T5N R D WA <sup>-</sup> ATION OUNTY ICIAL I	AN DIT AHO C E BITT EEK TH 19W) A FER RE N AND I 7, TO B DISTRI	CH IN REEK ERROG AT IS AND W ELATIO ESTAB E KNO CT IN A	A IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE ILISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Perio	d of Use:	MAY 1 TO OC	TOBER 1				
Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
1	0.50		SWNWNE	6	5N	20W	RAVALLI
	Subdivision:	W AND R AD	D TRACT/L	OT: 19	9 BLO	CK: 2	
Tota	l: 0.50						

#### **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.

151845-00 151846-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 3.08 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 151845-00, 211181-00, 211182-00.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER SYSTEM WAS FIRST PUT TO USE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151846-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	SHIRLEY A MILNER 204 ROSE LN HAMILTON, MT 59840
	DAVID R MILNER 204 ROSE LN HAMILTON, MT 59840
Priority Date:	MAY 1, 1866
Type of Historical Right:	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	5.61 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	3 - MODERATE
Maximum Acres:	0.50
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Ieans of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENENW 7 5N 20W RAVALLI
•	: MAY 1 TO OCTOBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	REPUBLICAN DITCH

DECEMBER 4, 2015 76H 151846-00 Page 2 of 3

#### Point of Diversion and Means of Diversion:

I offic of Diversion and w	leans of Diversi	011.				
ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
2 - SECONDARY		SWNWSE	6	5N	20W	RAVALLI
Period of Diversion:	MAY 1 TO OC	TOBER 1				
<b>Diversion Means:</b>	HEADGATE					
<b>Ditch Name:</b>	SLOW DITCH					
	WATER FROM THE PLACE C		CAN D	ITCH IS	S CON	VEYED THROUGH SLOW DITCH TO
	POINT WHER CLAIM IS PAR EXCHANGE. WATER FROI LINE (SWSW R20W). THE I PETITION FO DISTRICT IN	E THE REP TOF THE S WATER FRO M SKALKAH NE SEC 30 EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	UBLIC SKALK OM TH O CRE T5N R D WAT ATION OUNTY CIAL I	AN DIT AHO C E BITT EEK TH 19W) A TER RE NAND I Y, TO B DISTRI	CH IN REEK ERROO AT IS ND W LATIO ESTAB E KNO CT IN A	IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Use:	MAY 1 TO OC	TOBER 1				
Place of Use:						
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1 0.50		SWNWNE	6	5N	20W	RAVALLI
Subdivision:	W AND R AD	D TRACT/L	.OT: 10	) BLO	CK: 2	
Total: 0.50						

#### 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.

151845-00 151846-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 1.92 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 12701-00, 12702-00, 151846-00.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER SYSTEM WAS FIRST PUT TO USE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151847	-00 STATE	MENT	OF CL	AIM	
	Version: 1	ORIGINAL	. RIGH	IT		
	1	Status: A	CTIVE			
Owners:	JAMES J MII 8 FIDLER HO PENFIELD, I	DLLOW				
	CHARLES M 1200 IRON ( STEVENSVI		0			
<b>*Priority Date:</b>	DECEMBER	31, 1919				
Type of Historical Right	: USE					
Purpose(use):	STOCK					
Flow Rate:	3.00 GPM					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
*Source Name:	SPRING, UN	INAMED TRI	BUTAI	RY OF I	RON C	CAP CREEK
Source Type:	GROU	NDWATER				
Point of Diversion and	Means of Diver	sion:				
<u>ID</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp		County
1 Period of Diversion	: JANUARY 1	NWNWSW TO DECEMB	28 ER 31	9N	1977	RAVALLI
<b>Diversion Means:</b>	PIPELINE		-			
Period of Use:	JANUARY 1	TO DECEMB	ER 31			
Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	County
1		SWSWNW	28	9N	19W	RAVALLI

#### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151988-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	RICHARD L MURPHY PO BOX 40 CORVALLIS, MT 59828
	KIM L MURPHY PO BOX 40 CORVALLIS, MT 59828
	RICHARD F MILLER 1006 HAMILTON HEIGHTS RD CORVALLIS, MT 59828 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JUNE 1, 1862
Type of Historical Right	USE
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	201.96 GPM
*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:	60.00
*Source Name:	UNNAMED TRIBUTARY OF CHARLEYS GULCH
Source Type:	SURFACE WATER
	ALSO KNOWN AS COW CREEK

DECEMBER 4, 2015 76H 151988-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u>		Govt Lot	<b>Qtr Sec</b>	Sec	Twp	<u>Rge</u> <u>Co</u>	ounty
1			SWNENE	13	6N	20W R/	AVALLI
Peri	od of Diversion	: APRIL 15 TO	OCTOBER 1	5			
Dive	rsion Means:	HEADGATE					
Ditcl	h Name:	ROCK DITCH					
Period of	Use:	APRIL 15 TO OCTOBER 15					
*Place of U	Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>Co</u>	ounty
1	60.00		S2NW	13	6N	20W R/	AVALLI
Total:	60.00						

#### **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.

149850-00 149851-00 149852-00 151988-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO DOCUMENTS IN THE CLAIM FILE, A PART OF THE CLAIMED PLACE OF USE WAS SEVERED FROM THE WATER RIGHT. NO SEVERANCE HAS BEEN RECORDED WITH DNRC (DNRC FORM 642). SEE THE CLAIM FILE FOR DETAILS

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151988-00 Page 3 of 3

## PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 151989-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	CLIFTON J REED 656 WILLOW CREEK RD CORVALLIS, MT 59828						
	RALPH S LARSON 692 WILLOW CREEK RD CORVALLIS, MT 59828						
	TERRY L REED 656 WILLOW CREEK RD CORVALLIS, MT 59828 9216						
Priority Date:	MAY 10, 1888						
Type of Historical Right	: DECREED						
Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER/FLOOD						
Flow Rate:	258.06 GPM						
*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:	23.00						
Source Name:	WILLOW CREEK						
Source Type:	SURFACE WATER						
Point of Diversion and M	Means of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESWNE116N20WRAVALLI						
	: APRIL 1 TO OCTOBER 15						
Diversion Means: Ditch Name:	HEADGATE GODDARD-HULL DITCH						

DECEMBER 4, 2015						
76H	151989-00					
Page 2 of 3						

		WATER RELEASED FROM WILLOW CREEK USES COALPIT CREEK AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.						
Period	of Use:	APRIL 1 TO OCT	OBER 15					
*Place	of Use:							
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>	
1	10.00 Subdivision:	RAVALLI FARM	S2S2 TRACT/	34 LOT: 2	7N 20 BL(		RAVALLI	
2	10.00 Subdivision:	RAVALLI FARM	S2S2 TRACT/	• •		20W OCK: 1	RAVALLI	
3	3.00 Subdivision:	N2N RAVALLI FARM	ESESW TRACT/	34 LOT: 1	7N 19 BL(	20W OCK: 1	RAVALLI	
Total	: 23.00							

#### **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.

151989-00 151990-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 60 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 119883-00, 151989-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 151989-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 151990-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	CLIFTON J REED 656 WILLOW CREEK RD CORVALLIS, MT 59828						
	TERRY L REED 656 WILLOW CREEK RD CORVALLIS, MT 59828 9216						
	RALPH S LARSON 692 WILLOW CREEK RD CORVALLIS, MT 59828						
Priority Date:	APRIL 13, 1966						
Type of Historical Right	: FILED						
Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER/FLOOD						
Flow Rate:	224.40 GPM						
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
Climatic Area	: 3 - MODERATE						
Maximum Acres:	23.00						
*Source Name:	COALPIT CREEK						
Source Type:	SURFACE WATER						
Point of Diversion and N	Aeans of Diversion:						
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWSE 34 7N 20W RAVALLI						
Period of Diversion Diversion Means: Subdivision:	: APRIL 1 TO OCTOBER 15 PUMP RAVALLI FARM TRACT/LOT: 20A BLOCK: 1						

APRIL 1 TO OCTOBER 15

\*Place of Use:

**Period of Use:** 

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	10.00 Subdivision:	RAVALLI FARM	S2S2 TRACT/	34 LOT: 2	7N 20 BLC		RAVALLI
2	10.00 Subdivision:	RAVALLI FARM	S2S2 TRACT/		7N 21 BLC		RAVALLI
3	3.00 Subdivision:	N2N RAVALLI FARM	IESESW TRACT/I	34 LOT: 1	7N 19 BLC	20W DCK: 1	RAVALLI
Total	: 23.00						

#### 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.

151989-00 151990-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF **AVAILABILITY."**

Water Right Number:	76H 151991-00 STATEMENT OF CLAIM					
	Version: 2 SPLIT					
	Status: ACTIVE					
Owners:	MISTY WAY LLC 567 THREE MILE CREEK RD STEVENSVILLE, MT 59870					
Priority Date:	SEPTEMBER 13, 1937					
Type of Historical Right	FILED					
Purpose(use):	IRRIGATION					
Irrigation Type:	SPRINKLER					
Flow Rate:	33.66 GPM					
	THE WATER RIGHT NUMBERS 151991-00, 30051918-00 SHARE A FLOW RATE OF 33.7 GPM. THE WATER RIGHT WILL BE OPERATED IN THE FOLLOWING MANNER: THE PARTIES WILL ALTERNATE IRRIGATION AND WILL NOT IRRIGATE ON THE SAME DAYS.					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area:	3 - MODERATE					
Maximum Acres:	5.00					
*Source Name:	SPRING, UNNAMED TRIBUTARY OF AMBROSE CREEK					
Source Type:	GROUNDWATER					
*Point of Diversion and N	Aeans of Diversion:					
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESWNWSE 6 9N 19W RAVALLI					
	: APRIL 15 TO OCTOBER 15					
<b>Diversion Means:</b>	DEVELOPED SPRING					
	WATER DIVERTED FROM A DEVELOPED SPRING IS CONVEYED TO AMBROSE CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NWNESW SEC 6 TWP 09N RGE 19W RAVALLI COUNTY.					

DECEMBER 4, 2015 76H 151991-00 Page 2 of 2

Period of Use: APRIL 15 TO OCTOBER 15

\*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	5.00		W2NESW	Ũ	•		
	Subdivision:	SUNNYSIDE	ORCHARDS	TRA	CT/LO	T: 23A	BLOCK: 5
Total	: 5.00						

#### **Remarks:**

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

SPLIT CLAIM NO. 30051918 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	76H 152001-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	WILDFLOWER SUBDIVISION HOMEOWNERS ASSOC %CHIP PIGMAN 935 N 1ST STREET HAMILTON, MT 59840					
Priority Date:	JUNE 1, 1868					
Type of Historical Right:	DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	179.52 GPM					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area:	Climatic Area: 2 - MODERATELY HIGH					
Maximum Acres:	29.80					
Source Name:	SKALKAHO CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and N	Aeans of Diversion:					
ID 1 Period of Diversion	Govt LotQtr SecSecTwpRgeCountyNENENW75N20WRAVALLI: APRIL 15 TO OCTOBER 15					
<b>Diversion Means:</b> <b>Ditch Name:</b> 2 - SECONDARY	HEADGATE REPUBLICAN DITCH NWSWSE 6 5N 20W RAVALLI : APRIL 15 TO OCTOBER 15 HEADGATE					

DECEMBER 4, 2015 76H 152001-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

I only of Diversion and the	cans of Diversio	11.				
ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
3 - SECONDARY		NENESW	6	5N	20W	RAVALLI
Period of Diversion:	APRIL 15 TO 0	OCTOBER 1	5			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	NICOL-HART I	ATERAL				
	WATER FROM LATERAL TO				S CON	VEYED THROUGH NICOL-HART
	POINT WHER CLAIM IS PAR EXCHANGE. V WATER FROM LINE (SWSWN R20W). THE E PETITION FOR DISTRICT IN F	E THE REP T OF THE S VATER FRO I SKALKAH IE SEC 30 XCHANGEI XCHANGEI RORGANIZ RAVALLI CC URTH JUDI	UBLIC SKALK OM TH O CRE T5N R D WAT O WAT ATION OUNTY CIAL I	AN DIT AHO C E BITT EEK TH 19W) A FER RE N AND I 7, TO B DISTRI	CH IN REEK ERROO IAT IS ND W LATIO ESTAB E KNO CT IN A	IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).

Period of Use: APRIL 15 TO OCTOBER 15

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	10.00		NENESW	6	5N	20W	RAVALLI
2	6.50		NWNESW	6	5N	20W	RAVALLI
3	6.00		SENESW	6	5N	20W	RAVALLI
4	6.00		SWNESW	6	5N	20W	RAVALLI
5	0.50	6	NENWSW	6	5N	20W	RAVALLI
6	0.80	6	SENWSW	6	5N	20W	RAVALLI
Total:	29.80						

#### **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.

152001-00 152002-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

152001-00 152003-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

DECEMBER 4, 2015 76H 152001-00 Page 3 of 3

> A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

> COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 152002-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE		
Owners:	WILDFLOWER SUBDIVISION HOMEOWNERS ASSOC %CHIP PIGMAN 935 N 1ST STREET HAMILTON, MT 59840		
Priority Date:	MAY 1, 1876		
Type of Historical Right:	DECREED		
Purpose(use):	IRRIGATION		
Irrigation Type:	FLOOD		
Flow Rate:	157.08 GPM		
*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:	29.80		
Source Name:	SKALKAHO CREEK		
Source Type:	SURFACE WATER		
*Point of Diversion and N	Aeans of Diversion:		
ID 1 Period of Diversion	Govt LotQtr SecSecTwpRgeCountyNENENW75N20WRAVALLI: APRIL 15 TO OCTOBER 15		
<b>Diversion Means:</b> <b>Ditch Name:</b> 2 - SECONDARY	HEADGATE REPUBLICAN DITCH NWSWSE 6 5N 20W RAVALLI : APRIL 15 TO OCTOBER 15 HEADGATE		

DECEMBER 4, 2015 76H 152002-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

I only of Diversion and the	cans of Diversio	11.				
ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
3 - SECONDARY		NENESW	6	5N	20W	RAVALLI
Period of Diversion:	APRIL 15 TO 0	OCTOBER 1	5			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	NICOL-HART I	ATERAL				
	WATER FROM LATERAL TO				S CON	VEYED THROUGH NICOL-HART
	POINT WHER CLAIM IS PAR EXCHANGE. V WATER FROM LINE (SWSWN R20W). THE E PETITION FOR DISTRICT IN F	E THE REP T OF THE S VATER FRO I SKALKAH IE SEC 30 XCHANGEI XCHANGEI RORGANIZ RAVALLI CC URTH JUDI	UBLIC SKALK OM TH O CRE T5N R D WAT O WAT ATION OUNTY CIAL I	AN DIT AHO C E BITT EEK TH 19W) A FER RE N AND I 7, TO B DISTRI	CH IN REEK ERROO IAT IS ND W LATIO ESTAB E KNO CT IN A	IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).

Period of Use: APRIL 15 TO OCTOBER 15

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	10.00		NENESW	6	5N	20W	RAVALLI
2	6.50		NWNESW	6	5N	20W	RAVALLI
3	6.00		SENESW	6	5N	20W	RAVALLI
4	6.00		SWNESW	6	5N	20W	RAVALLI
5	0.50	6	NENWSW	6	5N	20W	RAVALLI
6	0.80	6	SENWSW	6	5N	20W	RAVALLI
Total:	29.80						

#### **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.

152001-00 152002-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

152002-00 152004-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 152003-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	WILDFLOWER SUBDIVISION HOMEOWNERS ASSOC %CHIP PIGMAN 935 N 1ST STREET HAMILTON, MT 59840		
Priority Date:	JUNE 1, 1868		
Type of Historical Right	: DECREED		
Purpose(use):	STOCK		
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.		
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.		
Source Name:	SKALKAHO CREEK		
Source Type:	SURFACE WATER		
*Point of Diversion and Means of Diversion:			
<u>ID</u> 1	Govt Lot <u>Qtr Sec</u> Sec Twp <u>Rge</u> County		
-	NENENW 7 5N 20W RAVALLI		
	APRIL 15 TO OCTOBER 15		
Diversion Means: Ditch Name:	HEADGATE REPUBLICAN DITCH		
2 - SECONDARY	NWSWSE 6 5N 20W RAVALLI		
	APRIL 15 TO OCTOBER 15		

**Diversion Means:** HEADGATE

#### \*Point of Diversion and Means of Diversion:

I ome of Diversion and h	icans of Diversit	/11.				
ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
3 - SECONDARY		NENESW	6	5N	20W	RAVALLI
Period of Diversion	: APRIL 15 TO (	OCTOBER 1	15			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	NICOL-HART	LATERAL				
	WATER FROM LATERAL TO				S CON	VEYED THROUGH NICOL-HART
	POINT WHER CLAIM IS PAR EXCHANGE. W WATER FROM LINE (SWSWM R20W). THE E PETITION FOI DISTRICT IN F	E THE REP T OF THE S VATER FRO SKALKAH SE SEC 30 CCHANGEI R ORGANIZ RAVALLI CC URTH JUDI	UBLIC SKALK OM THO CRI T5N R D VA D WA ATION OUNTY CIAL	CAN DIT (AHO C IE BITT EEK TH 19W) A TER RE N AND I (, TO B DISTRI	CH IN REEK ERROO IAT IS ND W ELATIO ESTAB E KNO CT IN A	A IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).

Period of Use: APRIL 15 TO OCTOBER 15

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1			NENESW	6	5N	20W	RAVALLI
2			NWNESW	6	5N	20W	RAVALLI
3			SENESW	6	5N	20W	RAVALLI
4			SWNESW	6	5N	20W	RAVALLI
5		6	NENWSW	6	5N	20W	RAVALLI
6		6	SENWSW	6	5N	20W	RAVALLI

#### Remarks:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

152001-00 152003-00

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

## THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 152004-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	WILDFLOWER SUBDIVISION HOMEOWNERS ASSOC %CHIP PIGMAN 935 N 1ST STREET HAMILTON, MT 59840		
<b>Priority Date:</b>	MAY 1, 1876		
Type of Historical Right	DECREED		
Purpose(use):	STOCK		
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.		
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.		
Source Name:	SKALKAHO CREEK		
Source Type:	SURFACE WATER		
*Point of Diversion and Means of Diversion:			
<u>ID</u> 1	Govt Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u>		
·	NENENW 7 5N 20W RAVALLI		
	APRIL 15 TO OCTOBER 15		
Diversion Means: Ditch Name:	HEADGATE REPUBLICAN DITCH		
2 - SECONDARY	NWSWSE 6 5N 20W RAVALLI		
	APRIL 15 TO OCTOBER 15		

Diversion Means: HEADGATE

DECEMBER 4, 2015 76H 152004-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

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ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
3 - SECONDARY		NENESW	6	5N	20W	RAVALLI
Period of Diversion	APRIL 15 TO	OCTOBER 1	15			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	NICOL-HART	LATERAL				
	WATER FROM LATERAL TO				S CON	VEYED THROUGH NICOL-HART
	POINT WHER CLAIM IS PAF EXCHANGE. WATER FROM LINE (SWSWI R20W). THE E PETITION FO DISTRICT IN I	E THE REP T OF THE S WATER FRO M SKALKAH NE SEC 30 EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	UBLIC SKALK OM TH O CRI T5N R D WA D WA ATIOI OUNT CIAL	CAN DIT (AHO C IE BITT EEK TH 19W) A TER RE N AND I Y, TO B DISTRI	CH IN REEK ERRO IAT IS AND W ELATIO ESTAB E KNO CT IN /	A IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE ILISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).

Period of Use: APRIL 15 TO OCTOBER 15

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1			NENESW	6	5N	20W	RAVALLI
2			NWNESW	6	5N	20W	RAVALLI
3			SENESW	6	5N	20W	RAVALLI
4			SWNESW	6	5N	20W	RAVALLI
5			NENWSW	6	5N	20W	RAVALLI
6			SENWSW	6	5N	20W	RAVALLI

#### **Remarks:**

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

152002-00 152004-00

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

## THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 152017-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	JUDITH O MCKENZIE 525 WILLOW CREEK CROSSROAD CORVALLIS, MT 59828			
Priority Date:	JUNE 1, 1860			
Type of Historical Right	: DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	SPRINKLER/FLOOD			
Flow Rate:	145.86 GPM			
*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:	40.00			
*Source Name:	WILLOW CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and N	Aeans of Diversion:			
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWNE 7 6N 19W RAVALLI			
*Period of Diversion Diversion Means: Ditch Name:	: JANUARY 1 TO DECEMBER 31 HEADGATE ROCK DITCH THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS			
	CLAIM.			

**DECEMBER 4, 2015** 76H 152017-00 Page 2 of 2

**Reservoir:** 

**Govt Lot Otr Sec** Sec Twp **Rge** County W2SENW 20W RAVALLI 6N 14 **DIVERSION #1 Diversion to Reservoir:** 15.00 FEET Dam Height: 15.00 FEET Depth: Surface Area: 0.85 ACRES Capacity: 5.12 ACRE-FEET SEE THE AMENDMENT AND RESERVOIR INFORMATION PAGE IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. **APRIL 15 TO OCTOBER 15 Period of Use:** Place of Use: ID **Govt Lot** Qtr Sec **Rge** County Acres Sec <u>Twp</u> 1 40.00 SENW 14 6N 20W RAVALLI 40.00 Total:

#### **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.

152019-00 152017-00 152018-00

OFFSTREAM

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.** 

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR **EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN** ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND **RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED** IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 152018-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JUDITH O MCKENZIE 525 WILLOW CREEK CROSSROAD CORVALLIS, MT 59828
Priority Date:	OCTOBER 1, 1864
Type of Historical Right:	DECREED
Purpose(use): Irrigation Type:	IRRIGATION SPRINKLER/FLOOD
Flow Rate:	112.20 GPM
*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:	40.00
Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Ieans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSWNE76N19WRAVALLI
*Period of Diversion Diversion Means: Ditch Name:	: JANUARY 1 TO DECEMBER 31 HEADGATE ROCK DITCH THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.

**Reservoir:** 

**Govt Lot Otr Sec** Sec Twp **Rge** County W2SENW 20W RAVALLI 14 6N **DIVERSION #1 Diversion to Reservoir:** 15.00 FEET Dam Height: 15.00 FEET Depth: Surface Area: 0.85 ACRES Capacity: 5.12 ACRE-FEET SEE THE AMENDMENT AND RESERVOIR INFORMATION PAGE IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. **APRIL 15 TO OCTOBER 15 Period of Use:** Place of Use: ID **Govt Lot** Qtr Sec **Rge** County Acres Sec <u>Twp</u> 1 40.00 SENW 14 6N 20W RAVALLI 40.00 Total:

#### 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.

152017-00 152018-00 152019-00

OFFSTREAM

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 152019-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JUDITH O MCKENZIE 525 WILLOW CREEK CROSSROAD CORVALLIS, MT 59828
Priority Date:	JUNE 9, 1888
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	78.54 GPM
*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:	40.00
Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER
Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSWNE76N19WRAVALLI
*Period of Diversion Diversion Means:	: JANUARY 1 TO DECEMBER 31 HEADGATE
Ditch Name:	ROCK DITCH
	THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.

**Reservoir:** 

**Govt Lot** Qtr Sec Sec Twp **Rge** County W2SENW 20W RAVALLI 6N 14 **DIVERSION #1 Diversion to Reservoir:** 15.00 FEET Dam Height: 15.00 FEET Depth: Surface Area: 0.85 ACRES Capacity: 5.12 ACRE-FEET SEE THE AMENDMENT AND RESERVOIR INFORMATION PAGE IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. **APRIL 15 TO OCTOBER 15** Period of Use: Place of Use: ID **Govt Lot** Qtr Sec **Rge** County Acres Sec <u>Twp</u> 1 40.00 SENW 14 6N 20W RAVALLI 40.00 Total:

#### 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.

152017-00 152018-00 152019-00

OFFSTREAM

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 152020-00	STATE	MENT	OF CL	AIM	
	Version: 1 (	ORIGINAL	RIGH	Т		
	State	us: A	CTIVE			
Owners:	JUDITH O MCKE 525 WILLOW CF CORVALLIS, MT	REEK CRO	DSSR	DAD		
<b>Priority Date:</b>	JULY 1, 1960					
Type of Historical Right	: USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS OF S	STOCK DF	RINKIN OW R	IG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
*Source Name:	SPRING, UNNA	MED TRI	BUTAF	RY OF (	cow c	REEK, NORTH FORK
Source Type:	SURFACE	WATER				
*Point of Diversion and I	Means of Diversion	:				
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u>	Sec	Twp		County
1 SENW 14 6N 20W RAVALLI *Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
Period of Use:	JANUARY 1 TO	DECEMBI	ER 31			
*Place of Use:						
ID <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1		SENW	14	6N	20W	RAVALLI

#### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF **AVAILABILITY."**

Water Rig	ht Number:	76H 15202	23-00	STATE	MENT	OF CL	AIM	
		Version:	1 O	RIGINAL	. RIGH	IT		
			Statu	s: A	CTIVE	Ξ		
Owners:		DAVID L M 3289 WOO STEVENS	DD DUC	CK LN	0			
Priority D	ate:	APRIL 16,	1963					
Type of Hi	istorical Right	FILED						
Purpose(u	ise):	IRRIGATIO	ON					
Irr	igation Type:	SPRINKLE	R					
*Flow Rate	:	321.64 GP	М					
								I REDUCED TO 17 GPM PER ACRE. PROPER OBJECTION.
*Volume:		THE TOTA AMOUNT	-		-		-	T SHALL NOT EXCEED THE CIAL USE.
	Climatic Area	: 3 - MODEF	RATE					
Maximum	Acres:	18.92						
Source Na	ame:	GROUND	NATEF	र				
Source	e Type:	GRO	UNDW	ATER				
Point of D	viversion and N	leans of Div	ersion:					
<u>ID</u> 1		Govt Lot	N	<u>Qtr Sec</u> ESENW	<u>Sec</u> 4	<u>Twp</u> 8N		<u>County</u> RAVALLI
	d of Diversion sion Means:	: APRIL 1 T WELL			-		1300	
Period of	Use:	APRIL 1 T	O AUG	UST 31				
*Place of U	se:							
ID	Acres	Govt Lot		<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1	18.92		Ν	2SENW	4	8N	19W	RAVALLI

\*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
Total:	18.92					

#### 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.

125093-00 152023-00 152024-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	76H 152024-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	DAVID L MAJORS 3289 WOOD DUCK LN STEVENSVILLE, MT 59870
*Priority Date:	JANUARY 10, 1964
	THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION (GW2). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	125.00 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	18.92
Source Name:	GROUNDWATER
Source Type:	GROUNDWATER
Point of Diversion and N	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESENW48N19WRAVALLI
Period of Diversion Diversion Means:	: MARCH 1 TO NOVEMBER 30 WELL
Period of Use:	MARCH 1 TO NOVEMBER 30

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>	
1	18.92		N2SENW	4	8N	19W RAVALL	
Total:	18.92						

#### 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.

125093-00 152023-00 152024-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 152025-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	ANITA C MEUCHEL 432 MEUCHEL LN CORVALLIS, MT 59828
	TIMOTHY G MEUCHEL 432 MEUCHEL LN CORVALLIS, MT 59828
Priority Date:	MARCH 4, 1966
Type of Historical Right	: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	UNNAMED TRIBUTARY OF BITTERROOT RIVER
Source Type:	SURFACE WATER
	ALSO KNOWN AS STOCK FARM WASTE WATER DITCH
*Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSWSE166N20WRAVALLI
Period of Diversion	: JANUARY 1 TO DECEMBER 31
Diversion Means: Subdivision:	LIVESTOCK DIRECT FROM SOURCE HAMILTON HEIGHTS TRACT/LOT: 16 BLOCK: 3

DECEMBER 4, 2015 76H 152025-00 Page 2 of 2

\*Point of Diversion and Means of Diversion:

<u>ID</u> 2		Govt Lot	<u>Qtr Sec</u> SWSWSE	<u>Sec</u> 16	<u>Twp</u> 6N	<u>Rge</u> 20W	<u>County</u> RAVALLI
I	Period of Diversion	: JANUARY 1	TO DECEMB	ER 31			
Ι	Diversion Means:	LIVESTOCK	DIRECT FRC	M SO	URCE		
S	ubdivision:	HAMILTON H	EIGHTS TR	ACT/L	OT: 15	BLOC	:K: 3
Perio	d of Use:	JANUARY 1 1	TO DECEMBE	ER 31			
*Place	*Place of Use:						
<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			SWSWSE	16	6N	20W	RAVALLI
	Subdivision:	HAMILTON F	IEIGHTS TR	RACT/	LOT: 16	BLO	CK: 3
2			SWSWSE	16	6N	20W	RAVALLI
	Subdivision:	HAMILTON F	IEIGHTS TR	RACT/	LOT: 15	5 BLO	CK: 3

#### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 152032-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JACK A PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870
	LINDA K PFAU 2685 EASTSIDE HWY STEVENSVILLE, MT 59870
Priority Date:	APRIL 26, 1945
Type of Historical Right	t: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER
Source Type:	SURFACE WATER
	ALSO KNOWN AS BIRCH CREEK DRAIN
Point of Diversion and	Means of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESE 28 8N 20W RAVALLI
	a: JANUARY 1 TO DECEMBER 1 DITCH

DECEMBER 4, 2015 76H 152032-00 Page 2 of 3

Point of Diversion and Means of Diversion:

<u>ID</u> 2		Govt Lot	<u>Qtr Sec</u>	Sec	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
2			SWNESE	28	8N	20W	RAVALLI	
Perio	d of Diversion	: JANUARY 1	TO DECEMB	ER 1				
Diver	rsion Means:	DITCH						
3			SESESE	28	8N	20W	RAVALLI	
Perio	d of Diversion	: JANUARY 1	TO DECEMB	ER 1				
Diver	rsion Means:	DITCH						
Period of	Use:	JANUARY 1	TO DECEMBE	ER 1				
*Place of U	se:							
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>	
1			SONIW/	27	8NI	20\\/		

1	S2NW	27	8N	20W	RAVALLI
2	NESE	27	8N	20W	RAVALLI
3	N2SW	27	8N	20W	RAVALLI
4	E2E2	28	8N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151576-00 152032-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/23/2014: POINT OF DIVERSION, PLACE OF USE.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 152032-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 152040-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	MARY C SAMPSON BOX 703 CORVALLIS, MT 59828 0703
	KENNY G SAMPSON BOX 703 CORVALLIS, MT 59828 0703
Priority Date:	MAY 31, 1902
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	22.44 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	4.11
Source Name:	COW CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySENESE56N20WRAVALLI
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 1 HEADGATE
Period of Use:	APRIL 1 TO OCTOBER 1

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1	4.11		S2S2NESE	5	6N	20W	RAVALLI
Total:	4.11						

#### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 152043-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	STEVEN G ZECH 470 ARROW POINT LN HAMILTON, MT 59840 9266
*Priority Date:	MARCH 31, 1909
Type of Historical Right	: USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	22.44 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	5.00
Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWSWSE267N20WRAVALLI
Period of Diversion	: MAY 15 TO OCTOBER 15
<b>Diversion Means:</b>	HEADGATE
Period of Use:	MAY 15 TO OCTOBER 15
Place of Use:	
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u> <u>Qtr Sec Sec Twp Rge County</u>
1 5.00 Subdivision: Total: 5.00	NENW 22 7N 20W RAVALLI HARRINGTON ACRES TRACT/LOT: 1-3

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/02/2014: MAXIMUM ACRES, TYPE OF RIGHT.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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Water Right Number:	76H 15204	14-00 STAT	EMENT	OF CL	AIM.	
	Version:	1 ORIGINA	L RIGH	IT		
		Status:	ACTIVE	E		
Owners:		SZECH W POINT LN I, MT 59840 9	266			
*Priority Date:	FEBRUAR	Y 27, 1909				
Type of Historical Right	: FILED					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	OF STOCK I STEM. THE F	DRINKI LOW R	NG DIR ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	STOCK WA	ATERING PUI NIT. ANIMAL I	RPOSE: UNITS S	S AT TH SHALL	HE RAT BE BAS	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER
Source Name:	WASTE &	SEEPAGE, U	NNAME	D TRIE	BUTAR	Y OF BITTERROOT RIVER
Source Type:	SURF	ACE WATER				
*Point of Diversion and I	Means of Div	ersion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Se</u> SENENV		<u>Twp</u> 7N		<u>County</u> RAVALLI
Period of Diversion	: JANUARY	1 TO DECEM	IBER 31			
<b>Diversion Means:</b>	LIVESTOC	CK DIRECT F	ROM SC	URCE		
Period of Use:	JANUARY	1 TO DECEM	BER 31			
*Place of Use:						
ID <u>Acres</u>	Govt Lot	<u>Qtr Se</u>	<u>c</u> <u>Sec</u>	Twp	Rge	County
1 Subdivision:	HARRING	SENENV TON ACRES		7N [/LOT:		RAVALLI

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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. 4054-00, 150887-00, 151613-00, 152044-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 152052-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	EUGENE H TINGLE 45 BLACK BEAR LANE NEW BERN, NC 28560 5978
	MARION N TINGLE PO BOX 423 GRANTSBORO, NC 28529 0423
	GEORGE W KORSON 941 B AVE CORONADO, CA 92118
	DAVIS, DANIEL J REVOCABLE LIVING TRUST 8129 ZITOLA TERRACE PLAYA DEL REY, CA 90293
	KAY S CASSENS 653 CAMP THREE LANE CORVALLIS, MT 59828 9645
	MOLLY ANN KORSON 941 B AVE CORONADO, CA 92118
	RENFRO FAMILY TRUST 783 DRY GULCH RD STEVENSVILLE, MT 59870 6044 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	MARCH 6, 1908
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION

Irrigation Type: FLOOD

DECEMBER 4, 2015 76H 152052-00 Page 2 of 3

Page 2 of	3						
Flow R	ate:	1.50 CFS					
*Volum	e:		VOLUME OF				T SHALL NOT EXCEED THE CIAL USE.
	Climatic Area	2 - MODERA	TELY HIGH				
Maxim	um Acres:	98.00					
Source	Name:	SPOONER C	CREEK				
Sou	rce Type:	SURFA	CE WATER				
Point o	of Diversion and <b>N</b>	Means of Divers	sion:				
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> SWSENE	<u>Sec</u> 35	<u>Twp</u> 8N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Di Di	eriod of Diversion version Means: tch Name:	HEADGATE TINGLE DIT	СН				
Period	of Use:	APRIL 1 TO	SEPTEMBER	30			
*Place o	f Use:						
ĪD	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1	25.00		SENE	34	8N	20W	RAVALLI
2	1.00		SWSWNE	35	8N	20W	RAVALLI
3	20.00		SENW	35	8N	20W	RAVALLI
4	20.00		SWNW	35	8N	20W	RAVALLI
5	2.00		NWNWSE	35	8N	20W	RAVALLI
6	20.00		NESW	35	8N	20W	RAVALLI
7	10.00		NWSW	35	8N	20W	RAVALLI
Total:	98.00						

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

152052-00 152056-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/10/2014, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY DANIEL J. DAVIS AND RICHARD AND BARBARA GIAIMO.

A 641 DIVIDED INTEREST FORM WAS RECEIVED ON 01/26/2009 . THE DIVISION OF THE WATER RIGHT HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL OWNERS OF RECORD.

USDA AERIAL PHOTOGRAPH NO(S). 179-140 , DATED 08/02/1979 , APPEARS TO INDICATE 80.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. USDI AERIAL PHOTOGRAPH NO. CNR-2P-171 , DATED 08/01/1955 , APPEARS TO INDICATE 15.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 152053-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	KAY S CASSENS 653 CAMP THREE LANE CORVALLIS, MT 59828 9645
	MARION N TINGLE PO BOX 423 GRANTSBORO, NC 28529 0423
	EUGENE H TINGLE 45 BLACK BEAR LANE NEW BERN, NC 28560 5978
Priority Date:	JANUARY 17, 1913
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.00 CFS
*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:	30.00
*Source Name:	DRY GULCH
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSWSE358N20WRAVALLI
	: APRIL 1 TO SEPTEMBER 30
Diversion Means: Ditch Name:	HEADGATE TINGLE DITCH

Period of Use: APRIL 1 TO SEPTEMBER 30

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1			SENE	34	8N	20W RAVALLI
2			E2SW	35	8N	20W RAVALLI
3			NWSW	35	8N	20W RAVALLI

#### 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.

105180-00 152053-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

#### 152053-00 152055-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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. 152055-00, 105180-00, 152053-00, 104636-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/19/2014, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD AND BARBARA GIAIMO.

THE PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED MAY BE QUESTIONABLE. REVIEW OF THE AVAILABLE DATA APPEARS TO INDICATE 18.00 ACRES IRRIGATED.

THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.

THE RESERVOIR IS NOT SHOWN IN THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958). IT APPEARS TO HAVE BEEN BUILT AFTER THE ORIGINAL APPROPRIATION AND MAY INDICATE AN EXPANSION OF THE WATER RIGHT. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 152055-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	EUGENE H TINGLE 45 BLACK BEAR LANE NEW BERN, NC 28560 5978
	KAY S CASSENS 653 CAMP THREE LANE CORVALLIS, MT 59828 9645
	MARION N TINGLE PO BOX 423 GRANTSBORO, NC 28529 0423
Priority Date:	JANUARY 17, 1913
Type of Historical Right	t: FILED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	DRY GULCH
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 152055-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1		SWSWSE	35	8N	20W	RAVALLI
Period of Diversion	: JANUARY 1	TO DECEMB	ER 31			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	TINGLE DIT	СН				
Period of Use:	JANUARY 1	TO DECEMBE	ER 31			

\*Place of Use:

ot <u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
SENE	34	8N	20W	RAVALLI
SWSE	35	8N	20W	RAVALLI
N2SW	35	8N	20W	RAVALLI
SESW	35	8N	20W	RAVALLI
L	SENE SWSE N2SW	SENE 34 SWSE 35 N2SW 35	SENE    34    8N      SWSE    35    8N      N2SW    35    8N	SENE    34    8N    20W      SWSE    35    8N    20W      N2SW    35    8N    20W

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

152053-00 152055-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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. 152055-00, 105180-00, 152053-00, 104636-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/11/2014, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD & BARBARA GIAIMO.

THE PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.

THE RESERVOIR IS NOT SHOWN IN THE RAVALLI COUNTY WATER RESOURCES SURVEY ( 1958 ). IT APPEARS TO HAVE BEEN BUILT AFTER THE ORIGINAL APPROPRIATION AND MAY INDICATE AN EXPANSION OF THE WATER RIGHT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SOURCE, OR FROM A

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 152056-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MARION N TINGLE PO BOX 423 GRANTSBORO, NC 28529 0423
	KAY S CASSENS 653 CAMP THREE LANE CORVALLIS, MT 59828 9645
	GEORGE W KORSON 941 B AVE CORONADO, CA 92118
	RENFRO FAMILY TRUST 783 DRY GULCH RD STEVENSVILLE, MT 59870 6044
	MOLLY ANN KORSON 941 B AVE CORONADO, CA 92118
	DAVIS, DANIEL J REVOCABLE LIVING TRUST 8129 ZITOLA TERRACE PLAYA DEL REY, CA 90293
	EUGENE H TINGLE 45 BLACK BEAR LANE NEW BERN, NC 28560 5978
Priority Date:	MARCH 6, 1908
Type of Historical Right	: FILED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Deeree	Depart	Dogo	6460
Decree	Report	- raye	0402

DECEMBER 4, 2015						Decree Report - Pa
76H 152056-00						
Page 2 of 3						
*Volume:	STOCK WATE ANIMAL UNIT.	RING PURF ANIMAL UN		S AT TH SHALL I	HE RAT	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER
Source Name:	SPOONER CR	REEK				
Source Type:	SURFAC	E WATER				
Point of Diversion and I	Means of Diversio	on:				
ID	Govt Lot	Qtr Sec		<u>Twp</u>		County
1		SWSENE	35	8N	20W	RAVALLI
Period of Diversion	I: JANUARY 1 T	O DECEMB	ER 31			
<b>Diversion Means:</b>	HEADGATE					
<b>Ditch Name:</b>	TINGLE DITCI	Н				
Period of Use:	JANUARY 1 T	O DECEMB	ER 31			
Place of Use:						
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1		SENE	34	8N	20W	RAVALLI

#### Remarks:

2

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

35

8N

20W RAVALLI

S2N2

152052-00 152056-00

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

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION **OF THIS WATER RIGHT CLAIM.**

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS. AS OF 02/10/2014 . A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD AND BARBARA GIAIMO. ..... .....

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR **EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO. YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN** ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND **RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED** IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

DECEMBER 4, 2015 76H 152056-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 152057	00 STATE	MENT	OF CL	AIM	
	Version: 1	ORIGINAL	RIGH	IT		
	8	tatus: A	CTIVE			
Owners:	KAY S CASSENS 653 CAMP THREE LANE CORVALLIS, MT 59828 9645					
*Priority Date:	MARCH 31, 7	908				
Type of Historical Right	: USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS C DITCH SYST	OF STOCK DE EM. THE FL	RINKIN OW R	NG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
*Source Name:	SPRING, UN	NAMED TRI	BUTAI	RY OF I	DRY G	ULCH
Source Type:	SURFA	CE WATER				
Point of Diversion and Means of Diversion:						
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NENESW	<u>Sec</u> 35	<u>Twp</u> 8N		<u>County</u> RAVALLI
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
Period of Use:	JANUARY 1	TO DECEMB	ER 31			
*Place of Use:						
ID <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1		NENESW	35	8N	20W	RAVALLI

#### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 15380	04-00	STATE	MENT	OF CL	AIM			
	Version:	1 OF	RIGINAL	RIGH	Т				
		Status	: A	CTIVE					
Owners:	BITTERRO PO BOX 49 HAMILTON	96			С				
*Priority Date:	DECEMBE	R 31, 19	907						
Type of Historical Right	: USE								
Purpose(use):	RECREAT	ON							
*Flow Rate:		A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.							
Volume:	136.80 AC	·FT							
Source Name:	MANMADE	E PIT, U	NNAME	d tri	BUTAF	RY OF	BITTERROOT RIVER		
Source Type:	GRO	JNDWA	TER						
*Point of Diversion and M	Aeans of Div	ersion:							
$\underline{\mathbf{ID}}$	<u>Govt Lot</u>	-	Qtr Sec	Sec	<u>Twp</u>		County		
1 Period of Diversion			SENW	19 ER 31	6N	2000	RAVALLI		
Diversion Means:	PIT	1100	LOLIND						
*Reservoir: ON	STREAM	Reserv	oir Nam	e: DA	LY LAF	ΚE			
	<u>Govt Lot</u>		<u>Qtr Sec</u> SENW	<u>Sec</u> 19	<u>Twp</u> 6N	<u>Rge</u> 20W	<u>County</u> RAVALLI		
Diversion to R Dam Height: Depth: Surface Area: Capacity:	eservoir:	15.00 12.00 14.25	SION # 1 FEET FEET ACRES ACRE-	6					
	SEE THE F RESERVO	-	-	ORKS	HEET I	N THE	CLAIM FILE FOR ADDITIONAL		

DECEMBER 4, 2015

76H 153804-00

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Period of Use: JANUARY 1 TO DECEMBER 31

\*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1			NWSENW	19	6N	20W	RAVALLI

## Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 7/13/2015: SOURCE, MEANS OF DIVERSION, VOLUME, PERIOD OF USE, PERIOD OF DIVERSION.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153805-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	CAROL A JOHNSON 314 FISH HATCHERY RD HAMILTON, MT 59840
	EDWARD W JOHNSON 314 FISH HATCHERY RD HAMILTON, MT 59840
Priority Date:	MAY 1, 1875
Type of Historical Right	DECREED
*Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	133.29 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Areas	2 - MODERATELY HIGH
Maximum Acres:	11.88
*Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and N	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI
Period of Diversion Diversion Means: Subdivision: Ditch Name:	: MAY 1 TO SEPTEMBER 30 HEADGATE W AND R ADD HEDGE DITCH

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#### \*Point of Diversion and Means of Diversion:

Tome of Diversion and Iv	leans of Diversi	011.				
ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
2 - SECONDARY		NWNWNE	8	5N	20W	RAVALLI
Period of Diversion:	MAY 1 TO SE	PTEMBER 3	80			
<b>Diversion Means:</b>	HEADGATE					
Subdivision:	W AND R AD	D				
Ditch Name:	REESER DIT	СН				
	WATER FRO	-	ITCH	IS CON	IVEYED	D THROUGH REESER DITCH TO THE
	POINT WHEF IS PART OF T EXCHANGE. WATER FROM LINE (SWSW R20W). THE I PETITION FO DISTRICT IN	RE THE HED THE SKALKA WATER FRO M SKALKAH NE SEC 30 EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	GE DI MO C OM THO C CRI T5N R D WA ATION OUNT CIAL	TCH IN REEK / IE BITT EEK TH 19W) A TER RE N AND (, TO B DISTRI	ITERSE AND BI ERRO IAT IS AND W ELATIO ESTAB E KNO CT IN /	IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE ILISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Use:	MAY 1 TO SE	PTEMBER 3	0			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
1 11.88		N2SWNW	5	5N	20W	RAVALLI
Subdivision:	W AND R AD	D TRACT/L	OT: 6	BLOC	CK: 3	
<b>Total:</b> 11.88						

#### **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.

#### 153805-00 153806-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

#### 153805-00 99690-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 127.08 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4602-00, 6051-00, 6613-00, 10141-00, 10143-00, 10144-00, 10145-00, 21194-00, 21196-00, 21219-00, 21220-00, 21988-00, 29177-00, 29178-00, 99690-00, 99940-00, 99943-00, 100556-00, 111242-00, 111244-00, 111247-00, 114606-00, 131635-00, 131637-00, 147840-00, 148074-00, 148077-00, 148179-00, 148181-00, 148182-00, 148232-00, 148249-00, 148253-00, 149050-00, 149051-00, 149052-00, 149054-00, 149830-00, 151047-00, 151049-00, 151396-00, 151679-00, 151680-00, 151830-00, 153805-00, 211174-00, 211707-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153806-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	CAROL A JOHNSON 314 FISH HATCHERY RD HAMILTON, MT 59840
	EDWARD W JOHNSON 314 FISH HATCHERY RD HAMILTON, MT 59840
Priority Date:	MAY 1, 1866
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	133.29 GPM
*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:	11.88
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI
Period of Diversion Diversion Means: Subdivision: Ditch Name:	: MAY 1 TO SEPTEMBER 30 HEADGATE W AND R ADD HEDGE DITCH

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#### \*Point of Diversion and Means of Diversion:

Tome of Diversion and Iv	leans of Diversi	011.				
ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
2 - SECONDARY		NWNWNE	8	5N	20W	RAVALLI
Period of Diversion:	MAY 1 TO SE	PTEMBER 3	80			
<b>Diversion Means:</b>	HEADGATE					
Subdivision:	W AND R AD	D				
Ditch Name:	REESER DIT	СН				
	WATER FRO	-	ITCH	IS CON	IVEYED	D THROUGH REESER DITCH TO THE
	POINT WHEF IS PART OF T EXCHANGE. WATER FROM LINE (SWSW R20W). THE I PETITION FO DISTRICT IN	RE THE HED THE SKALKA WATER FRO M SKALKAH NE SEC 30 EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	GE DI MO C OM THO C CRI T5N R D WA ATION OUNT CIAL	TCH IN REEK / IE BITT EEK TH 19W) A TER RE N AND (, TO B DISTRI	ITERSE AND BI ERRO IAT IS AND W ELATIO ESTAB E KNO CT IN /	IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE ILISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Use:	MAY 1 TO SE	PTEMBER 3	0			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
1 11.88		N2SWNW	5	5N	20W	RAVALLI
Subdivision:	W AND R AD	D TRACT/L	OT: 6	BLOC	CK: 3	
<b>Total:</b> 11.88						

#### **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.

#### 153805-00 153806-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

#### 153806-00 99689-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

DECEMBER 4, 2015 76H 153806-00 Page 3 of 3

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 79.42 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5526-00, 10142-00, 21195-00, 21197-00, 21218-00, 21221-00, 21989-00, 99689-00, 99941-00, 99942-00, 99944-00, 99945-00, 105257-00, 105293-00, 107441-00, 107442-00, 111243-00, 111246-00, 111248-00, 114603-00, 131636-00, 131638-00, 147842-00, 147843-00, 148075-00, 148076-00, 148178-00, 148180-00, 148183-00, 148233-00, 148251-00, 148252-00, 149048-00, 149049-00, 149053-00, 149055-00, 149829-00, 151048-00, 151050-00, 151678-00, 151681-00, 151682-00, 151829-00, 153806-00, 211175-00, 211705-00, 211706-00, 211708-00, 211709-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 153807-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CREGG/CONROY FAMILY TRUST VALLEY SPRINGS RANCH 158 BELL CROSSING E STEVENSVILLE, MT 59870
	SIDNEY_CONROY 158 BELL CROSSING E STEVENSVILLE, MT 59870
	HUGH CREGG 158 BELL CROSSING E STEVENSVILLE, MT 59870
Priority Date:	DECEMBER 26, 1963
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	2.01 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	85.00
*Source Name:	GROUNDWATER
Source Type:	GROUNDWATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSWSE168N20WRAVALLI
Period of Diversion Diversion Means:	: MAY 1 TO OCTOBER 31 WELL

DECEMBER 4, 2015 76H 153807-00 Page 2 of 2

Period of Use: MAY 1 TO OCTOBER 31

\*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	20.00		W2W2SE	16	8N	20W	RAVALLI
2	65.00		E2SW	16	8N	20W	RAVALLI
Total:	85.00						

#### 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.

149859-00 149860-00 153807-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153808-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	MILDENBERGER FAMILY LP PO BOX 630 HAMILTON, MT 59840 0630						
	MILDENBERGER PROPERTIES LLC PO BOX 630 HAMILTON, MT 59840 0630						
*Priority Date:	DECEMBER 31, 1940						
Type of Historical Right	: FILED						
Purpose(use):	IRRIGATION						
Irrigation Type:	FLOOD						
Flow Rate:	10.00 CFS						
*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:	265.00						
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF GIRD CREEK						
Source Type:	SURFACE WATER						
	WASTE AND SEEPAGE WATER COLLECTED ALONG THE ENTIRE LENGTH OF THE DRAIN DITCH.						
*Point of Diversion and N	Aeans of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySESE296N20WRAVALLI						
	: MAY 15 TO OCTOBER 15						
<b>Diversion Means:</b>	DIVERSION DAM						
Period of Use:	MAY 15 TO OCTOBER 15						

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	35.00		SWSE	20	6N	20W	RAVALLI
2	50.00		N2SW	20	6N	20W	RAVALLI
3	70.00		S2SW	20	6N	20W	RAVALLI
4	80.00		E2NE	29	6N	20W	RAVALLI
5	30.00		SESE	29	6N	20W	RAVALLI
Total:	265.00						

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

153808-00 153809-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/25/1993: MAXIMUM ACRES, PLACE OF USE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 07/24/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STOCK FARM RANCHES LLC; RAVALLI COUNTY; RAVALLI COUNTY AIRPORT; BRADLEY MILDENBERGER.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 15380	9-00	STATE	MENT	OF CL	AIM		
	Version:	1 OR	RIGINAL	RIGH	Т			
		Status:	: AG	CTIVE				
Owners:	MILDENBE PO BOX 63 HAMILTON	30			LLC			
	MILDENBE PO BOX 63 HAMILTON	30						
*Priority Date:	DECEMBE	R 31, 19	940					
Type of Historical Right	: FILED							
Purpose(use):	STOCK							
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.							
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.							
*Source Name:	WASTE &	SEEPA	GE, UNI	NAMEI	) TRIE	BUTAR	Y OF GIRD CREEK	
Source Type:	SURF	ACE W	ATER					
*Point of Diversion and M	Aeans of Div	ersion:						
<u>ID</u> 1	<u>Govt Lot</u>	_	<u>Qtr Sec</u> SWNW	<u>Sec</u> 20	<u>Тwp</u> 6N		<u>County</u> RAVALLI	
Period of Diversion Diversion Means:	: JANUARY LIVESTOC	-	-	-	URCE			
2			2N2SE	20	6N	20W	RAVALLI	
Period of Diversion Diversion Means:	: JANUARY LIVESTOC				URCE			

*Poi	*Point of Diversion and Means of Diversion:									
II	<u>)</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>			
3			N2SESE	20	6N	20W	RAVALLI			
	Period of Diversion: JANUARY 1 TO DECEMBER 31									
	<b>Diversion Means:</b>	LIVESTOCK D	RECT FRC	M SO	URCE					
4			SW	20	6N	20W	RAVALLI			
	<b>Period of Diversion</b>	: JANUARY 1 TO	DECEMBI	ER 31						
	<b>Diversion Means:</b>	LIVESTOCK D	RECT FRC	M SO	URCE					
5			W2NW	28	6N	20W	RAVALLI			
	Period of Diversion	: JANUARY 1 TO	DECEMBI	ER 31						
	<b>Diversion Means:</b>	LIVESTOCK D	RECT FRC	M SO	URCE					
6			NWSW	28	6N	20W	RAVALLI			
	Period of Diversion	: JANUARY 1 TO	DECEMBI	ER 31						
	<b>Diversion Means:</b>	LIVESTOCK D	RECT FRC	M SO	URCE					
7			E2SESE	29	6N	20W	RAVALLI			
	<b>Period of Diversion</b>	: JANUARY 1 TO	DECEMBI	ER 31						
	<b>Diversion Means:</b>	LIVESTOCK D	RECT FRC	M SO	URCE					
Peri	iod of Use:	JANUARY 1 TC	DECEMBE	ER 31						

\*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>C</u>	ounty
1			S2SWNW	20	6N	20W R	AVALLI
2			S2N2SE	20	6N	20W R	AVALLI
3			N2SESE	20	6N	20W R	AVALLI
4			SW	20	6N	20W R	AVALLI
5			W2NW	28	6N	20W R	AVALLI
6			NWSW	28	6N	20W R	AVALLI
7			E2SESE	29	6N	20W R	AVALLI
3 4 5 6			N2SESE SW W2NW NWSW	20 20 28 28	6N 6N 6N 6N	20W R/ 20W R/ 20W R/ 20W R/	AVALI AVALI AVALI AVALI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

153808-00 153809-00

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

THE GIVE. THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 07/24/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STOCK FARM RANCHES LLC; RAVALLI COUNTY; RAVALLI COUNTY AIRPORT; BRADLEY MILDENBERGER. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153812-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	TERRI ASK PO BOX 945 HAMILTON, MT 59840
	TUSCANY MONTANA LLC 222 VIA MARNELL WAY LAS VEGAS, NV 89119
*Priority Date:	APRIL 15, 1892
Type of Historical Right	FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	425.00 GPM
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	3 - MODERATE
Maximum Acres:	25.00
*Source Name:	BIRCH CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWNW 17 7N 19W RAVALLI
Period of Diversion	: MAY 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Period of Use:	MAY 1 TO NOVEMBER 1

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	25.00		S2S2NE	18	7N	19W RAVALLI
Total:	25.00					

#### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153816-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LYNETTE K COLLER 808 S SUNSET BENCH RD STEVENSVILLE, MT 59870
	ANTHONY A COLLER 808 S SUNSET BENCH RD STEVENSVILLE, MT 59870
	RICHARD E RICHARDSON 852 S SUNSET BENCH RD STEVENSVILLE, MT 59870
	DEBORAH K RICHARDSON 852 S SUNSET BENCH RD STEVENSVILLE, MT 59870 OWNER ANTHONY A COLLER RETAINED. CONTRACT FOR DEED INTEREST. OWNER LYNETTE K COLLER RETAINED. CONTRACT FOR DEED INTEREST.
Priority Date:	NOVEMBER 1, 1975
Type of Historical Right	: USE
Purpose(use):	STOCK
Flow Rate:	10.00 GPM
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	GROUNDWATER
Source Type:	GROUNDWATER

DECEMBER 4, 2015 76H 153816-00 Page 2 of 2

> Point of Diversion and Means of Diversion: ID Govt Lot Qtr Sec Twp **Rge** County Sec 1 SWSESW 12 8N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** WELL **JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Acres Govt Lot Qtr Sec Sec Twp **Rge** County 1 SWSESW 12 8N 20W RAVALLI

#### **Remarks:**

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED PRIORITY DATE INDICATES AN APPROPRIATION OF WATER AFTER JUNE 30, 1973.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153832-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
	Late Claim: A
Owners:	KEVIN L LEWIS C/O C W LEWIS PO BOX 276 CORVALLIS, MT 59828 0276
	DARYL L FORD 2491 NE BIRCH CREEK RD CORVALLIS, MT 59828
Priority Date:	JUNE 14, 1937
	CLAIM FILED LATE 05/05/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	26.00
*Source Name: Source Type:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF NORTH BIRCH CREEK SURFACE WATER

DECEMBER 4, 2015 76H 153832-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NENENE	<u>Sec</u> 3	<u>Twp</u> 7N	<u>Rge</u> <u>County</u> 20W RAVALLI
Per	iod of Diversion	: MAY 31 TO SE	EPTEMBER	30		
Div	ersion Means:	HEADGATE				
Period of Use:		MAY 31 TO SE	PTEMBER	30		
Place of	Use:					
<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	26.00	1	NENE	3	7N	20W RAVALLI
Total:	26.00					

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

NO QUANTIFIED FLOW RATE HAS BEEN CLAIMED.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/09/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STEVEN AND ALTA BRAWLEY.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/09/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CHARLES AND MARIETA LEWIS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/09/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY DAVID AND TINA JOHNSON.

USDA AERIAL PHOTOGRAPH NO(S). 179-140 , DATED 08/02/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDI AERIAL PHOTOGRAPH NO. CNR-2P-171 , DATED 08/01/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 153832-00 Page 3 of 3

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153833-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	GRANTSDALE COMMUNITY CHURCH PO BOX 350064 GRANTSDALE, MT 59835
*Priority Date:	APRIL 28, 1885
Type of Historical Right:	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	
*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:	0.26
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and N	Jeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSESW155N20WRAVALLI
Period of Diversion	
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	HUGHES DITCH
	THE POINT OF DIVERSION IS THE HISTORICAL DIVERSION POINT FOR THE HUGHES DITCH. HISTORICALLY THE HUGHES DITCH CONVEYED WATER TO THE TOWN DITCH. THE CLAIM IS A PART OF THE SKALKAHO CREEK EXCHANGE WATER. WATER FOR THE TOWN DITCH IS DIVERTED FROM THE HEDGE DITCH AT SENWSW SEC 8 T5N R20W RAVALLI COUNTY.

DECEMBER 4, 2015 76H 153833-00 Page 2 of 2

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	0.13			7	5N	20W	RAVALLI
	Subdivision:	GRANTS, H H	ADD (GRA	NTSD	ALE)	TRACT	/LOT: 6 BLOCK: 8
2	0.13			7	5N	20W	RAVALLI
	Subdivision:	GRANTS, H H	ADD (GRA	NTSD	ALE)	TRACT	LOT: 7 BLOCK: 8
Tota	l: 0.26						

**Remarks:** 

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

NO QUANTIFIED FLOW RATE HAS BEEN CLAIMED.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

NO PERIOD OF USE HAS BEEN CLAIMED. THE USUAL AND REASONABLE PERIOD OF USE IN THIS AREA IS APRIL 1 TO OCTOBER 31.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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Water Right Number:	76H 153841-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	ROY L HERN ***DECEASED*** PO BOX 1943 HAMILTON, MT 59840 1943
	DON NEAD PO BOX 43 VICTOR, MT 59875
Priority Date:	MAY 1, 1872
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	32.20 GPM
*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:	1.91
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and N	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNENENW75N20WRAVALLI
Period of Diversion Diversion Means: Ditch Name:	: APRIL 15 TO OCTOBER 15 HEADGATE REPUBLICAN DITCH

DECEMBER 4, 2015 76H 153841-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

I only of Diversion and it.						
<u>ID</u> 2 - SECONDARY	Govt Lot	<u>Qtr Sec</u> NENESW				<u>County</u> RAVALLI
Period of Diversion: Diversion Means: Ditch Name:	APRIL 15 TO HEADGATE NICOL-HART		5			
	WATER FROM LATERAL TO			-	S CON	VEYED THROUGH NICOL-HART
	POINT WHER CLAIM IS PAF EXCHANGE. WATER FROM LINE (SWSWI R20W). THE E PETITION FO DISTRICT IN I	E THE REP ATOF THE S WATER FRO M SKALKAH NE SEC 30 EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	UBLIC SKALK OM TH O CRI T5N R D WA D WA ATION OUNT CIAL	CAN DIT (AHO C IE BITT EEK TH 19W) A TER RE N AND I (, TO B DISTRI	CH IN CREEK ERRO IAT IS AND W ELATIO ESTAB E KNO CT IN /	A IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N DNSHIP IS DESCRIBED IN - RE THE BLISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, (1984).
			-			

Period of Use: APRIL 15 TO OCTOBER 15

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	1.91		NESWSW	31	6N	20W	RAVALLI
Total:	1.91						

#### **Remarks:**

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 15 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 10161-00, 26320-00, 108825-00, 153841-00. AS OF 06/15/2013, THIS WATER RIGHT APPEARS TO BE OWNED BY TSK LLC, 113 LEWIS LN, HAMILTON, MT 59840-3312.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 153841-00 Page 3 of 3

Water Right Number:

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

76H 153856-00 STATEMENT OF CLAIM

Version:

1 -- ORIGINAL RIGHT

	Status: ACTIVE
	Late Claim: B
Owners:	SCHALET K MAESTAS 1266 FINCH AVE BRIGHTON, CO 80601
	STEVENSVILLE PUBLIC SCHOOL DISTRICT #2 RAVALLI COUNTY 300 PARK AVE STEVENSVILLE, MT 59870
	JOSEPH A MAESTAS 1266 FINCH AVE BRIGHTON, CO 80601 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	MAY 20, 1909
<b>Enforceable Prio</b>	rity Date: JUNE 30, 1973
	CLAIM FILED LATE 05/04/1982 . 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.
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	1.00 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area: 3 - MODERATE** 

76H 153856	6-00						
Page 2 of 3							
Maximur	n Acres:	27.00					
*Source N	ame:	NORTH SWAM	/IP CREEK				
Sourc	е Туре:	SURFAC	E WATER				
		ALSO KNOWN	I AS SAPIEL	CRE	EK		
Point of I	<b>Diversion and</b> I	Means of Diversio	on:				
<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u>		Twp	Rge	<b>County</b>
1			SESENE	26	9N	20W	RAVALLI
Perie	od of Diversion	: APRIL 15 TO (	OCTOBER 1	5			
Dive	ersion Means:	HEADGATE					
Ditcl	h Name:	HOWARD-KEI	ENAN DITCI	H (HE	ADGAT	E 77)	
Period of	Use:	APRIL 15 TO C	OCTOBER 1	5			
Place of U	Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	27.00		NESW	26	9N	20W	RAVALLI
Total:	27.00						

#### **Remarks:**

**DECEMBER 4, 2015** 

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.

153856-00 153857-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED ON 01/20/2009 REQUESTING TO AMEND THE TYPE OF RIGHT . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

CLAIM FILED LATE 05/04/1982 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE BASIS OF THIS CLAIMED WATER RIGHT WAS NOT FOUND IN THE DECREE FROM CASE NO. 556 , RAVALLI COUNTY. THE CLAIMED PRIORITY DATE CANNOT BE CONFIRMED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153857-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
	Late Claim: B
Owners:	SCHALET K MAESTAS 1266 FINCH AVE BRIGHTON, CO 80601
	JOSEPH A MAESTAS 1266 FINCH AVE BRIGHTON, CO 80601
	STEVENSVILLE PUBLIC SCHOOL DISTRICT #2 RAVALLI COUNTY 300 PARK AVE STEVENSVILLE, MT 59870
	OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
*Priority Date:	MAY 20, 1865
Enforceable Prio	ority Date: JUNE 30, 1973
	CLAIM FILED LATE 05/04/1982 . 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.
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	203.19 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE

76H 153857-00						
Page 2 of 3						
Maximum Acres:	27.00					
*Source Name:	ROBERTSON	CREEK				
Source Type:	SURFAC	E WATER				
*Point of Diversion an	d Means of Diversi	on:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> SWNWNE	<u>Sec</u> 36	<u>Twp</u> 9N		<u>County</u> RAVALLI
Period of Divers	ion: APRIL 15 TO	OCTOBER 1	15			
<b>Diversion Means</b>	: HEADGATE					
2 - SECONDARY		SESESW	26	9N	20W	RAVALLI
	on: APRIL 15 TO	OCTOBER 1	15			
Diversion Means	-					
Ditch Name:	HAYDEN-PU	EAR DITCH	I (HEA	DGAT	= 98)	
	WATER FROM DITCH (HEAD					IVEYED THROUGH HAYDEN-PUYEAR JSE.
Period of Use:	APRIL 15 TO	OCTOBER 1	5			
Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1 27.00		NESW	26	9N	20W	RAVALLI
<b>Total:</b> 27.00						

#### Remarks:

**DECEMBER 4, 2015** 

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.

153856-00 153857-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED ON 07/06/2009 REQUESTING TO AMEND THE FLOW RATE AND PRIORITY DATE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

AN AMENDMENT WAS SUBMITTED ON 01/20/2009 REQUESTING TO AMEND THE TYPE OF RIGHT . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS. OF DNRC RECORD.

CLAIM FILED LATE 05/04/1982 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SWNWNW SEC 36 TWP 9N RGE 20W RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153860-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	PAUL H DANNELS 876 US HWY 93 N VICTOR, MT 59875 9312
	MARILYN AUCH 772 US HIGHWAY 93 N HAMILTON, MT 59840 9448
	VALERIE E DANNELS 876 US HWY 93 N VICTOR, MT 59875 9312
	STACEY AUCH PO BOX 1182 HAMILTON, MT 59840 1182
	MARCUS PETREY 714 HWY 93 N HAMILTON, MT 59840 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF
	THE OWNERS.
Priority Date:	JULY 15, 1899
Type of Historical Right:	USE
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	300.00 GPM
*Volume:	PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED. 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.

DECEMBER 4, 2015 76H 153860-00 Page 2 of 3

Climatic A	a: 2 - MODERATELY HIGH
Maximum Acres:	39.00
*Source Name: Source Type:	MANMADE PIT, UNNAMED TRIBUTARY OF BITTERROOT RIVER GROUNDWATER
*Point of Diversion an	Means of Diversion:
	Govt LotQtr SecSecTwpRgeCounty5SWSWNW66N20WRAVALLIn: APRIL 1 TO OCTOBER 1
<b>Diversion Means</b>	PIT
	PUMP IS SECONDARY MEANS OF DIVERSION. THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.
Reservoir: C	NSTREAM
Reservoir: C	NSTREAM <u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 5 SWSWNW 6 6N 20W RAVALLI
Reservoir: C Diversion to Depth: Surface Are Capacity:	Govt LotQtr SecSecTwpRgeCounty5SWSWNW66N20WRAVALLIReservoir:DIVERSION # 15.00FEET
Diversion to Depth: Surface Are	Govt LotQtr SecSecTwpRgeCounty5SWSWNW66N20WRAVALLIReservoir:DIVERSION # 15.00FEET1.00ACRES
Diversion to Depth: Surface Are	Govt Lot  Qtr Sec  Sec  Twp  Rge  County    5  SWSWNW  6  6N  20W  RAVALLI    Reservoir:  DIVERSION # 1  5.00  FEET    5.00  FEET  1.00  ACRES    2.50  ACRE-FEET  SEE CONTACT RECORD OF 06/13/2014 IN CLAIM FILE FOR ADDITIONAL
Diversion to Depth: Surface Are Capacity:	Govt Lot  Qtr Sec SWSWNW  Sec 6  Twp 6  Rege 20W  County RAVALLI    Reservoir:  DIVERSION # 1 5.00  FEET
Diversion to Depth: Surface Are Capacity: Period of Use:	Govt Lot  Qtr Sec SWSWNW  Sec 6  Twp 6  Rege 20W  County RAVALLI    Reservoir:  DIVERSION # 1 5.00  FEET
Diversion to Depth: Surface Are Capacity: Period of Use: Place of Use:	Govt LotQtr SecSecTwpRgeCounty5SWSWNW66N20WRAVALLIReservoir: DIVERSION # 15.00FEET1.00ACRES2.50ACRE-FEETSEE CONTACT RECORD OF 06/13/2014 IN CLAIM FILE FOR ADDITIONALRESERVOIR INFORMATION.APRIL 1 TO OCTOBER 1
Diversion to Depth: Surface Are Capacity: Period of Use: Place of Use: <u>ID Acres</u>	Govt LotQtr SecSecTwpRgeCounty5SWSWNW66N20WRAVALLIReservoir: DIVERSION # 15.00FEET5.00FEET:1.00ACRES2.50ACRE-FEETSEE CONTACT RECORD OF 06/13/2014 IN CLAIM FILE FOR ADDITIONALRESERVOIR INFORMATION.APRIL 1 TO OCTOBER 1Govt LotQtr SecSecTwpRgeCounty

#### 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.

148197-00 153860-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

153860-00 153861-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/07/1992: MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153861-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	MARILYN_AUCH 772 US HIGHWAY 93 N HAMILTON, MT 59840 9448
	VALERIE E DANNELS 876 US HWY 93 N VICTOR, MT 59875 9312
	PAUL H DANNELS 876 US HWY 93 N VICTOR, MT 59875 9312
	STACEY_AUCH PO BOX 1182 HAMILTON, MT 59840 1182
	MARCUS PETREY 714 HWY 93 N HAMILTON, MT 59840 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JULY 15, 1899
Type of Historical Right	t: USE
Purpose(use):	FISH AND WILDLIFE
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	20.00 AC-FT
*Source Name:	MANMADE PIT, UNNAMED TRIBUTARY OF BITTERROOT RIVER
Source Type:	GROUNDWATER

DECEMBER 4, 2015 76H 153861-00 Page 2 of 3

*Point of I	*Point of Diversion and Means of Diversion:								
<u>ID</u>		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County		
1		5	SWSWNW	6	6N	20W	RAVALLI		
*Perio	od of Diversion	: JANUARY 1	TO DECEMBI	ER 31					
Dive	rsion Means:	PIT							
Res	ervoir: ONS	STREAM							
		Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County		
		5	SWSWNW	6	6N	20W	RAVALLI		
	Diversion to Ro	eservoir: D	VERSION # 1						
	Depth:		5.00 FEET						
	Surface Area:		1.00 ACRES	5					
	Capacity:		2.50 ACRE-	FEET					
		SEE CONTA	CT RECORD	OF 06	5/13/201	14 IN C	LAIM FILE FOR ADDITIONAL		
		RESERVOIR	INFORMATIC	DN.					
Period of	Use:	JANUARY 1	TO DECEMBE	ER 31					
*Place of U	J <b>se:</b>								
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County		
1		5	W2SWNW	6	6N	20W	RAVALLI		
<u> </u>									

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

153860-00 153861-00

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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 WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153862-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	AMANDA J SACKS 459 SAINT MARYS RD STEVENSVILLE, MT 59870 6540
	RANDY L SACKS 621 SKALKAHO HWY HAMILTON, MT 59840
	CORTNEY J SACKS 459 SAINT MARYS RD STEVENSVILLE, MT 59870 6540
	RAYMOND L SACKS 459 ST MARY'S RD STEVENSVILLE, MT 59870
Priority Date:	APRIL 14, 1953
Type of Historical Right	USE
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
*Flow Rate:	68.00 GPM
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Areas	3 - MODERATE
Maximum Acres:	4.00
*Source Name:	NORTH BIRCH CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS SIMMONS CREEK

DECEMBER 4, 2015 76H 153862-00 Page 2 of 2

\*Point of Diversion and Means of Diversion: ID **Govt Lot** Qtr Sec Twp **Rge** County Sec 1 NWNWNE 3 7N 20W RAVALLI Period of Diversion: MAY 1 TO SEPTEMBER 15 **Diversion Means:** HEADGATE MAY 1 TO SEPTEMBER 15 **Period of Use:** \*Place of Use: ID Acres Govt Lot Qtr Sec Sec Twp **Rge** County 1 NWNWNE 4.00 3 7N 20W RAVALLI 4.00 Total:

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

153862-00 153863-00

THE TYPE OF IRRIGATION WAS AMENDED BY THE CLAIMANT ON 07/27/2015.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153863-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	RAYMOND L SACKS 459 ST MARY'S RD STEVENSVILLE, MT 59870
	CORTNEY J SACKS 459 SAINT MARYS RD STEVENSVILLE, MT 59870 6540
	AMANDA J SACKS 459 SAINT MARYS RD STEVENSVILLE, MT 59870 6540
	RANDY L SACKS 621 SKALKAHO HWY HAMILTON, MT 59840
Priority Date:	APRIL 14, 1953
Type of Historical Right	t: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	NORTH BIRCH CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS SIMMONS CREEK

DECEMBER 4, 2015 76H 153863-00 Page 2 of 2

\*Point of Diversion and Means of Diversion:

ID		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1		2	NWNWNE	3	7N	20W	RAVALLI
F	Period of Diversion	: JANUARY 1	TO DECEMBI	ER 31			
Ι	Diversion Means:	LIVESTOCK	DIRECT FRC	M SC	URCE		
S	ubdivision:	MOUNTAIN	VIEW ORCHA	RDS	TRACT	/LOT:	19 BLOCK: 019
Perio	d of Use:	JANUARY 1	TO DECEMBE	ER 31			
*Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1		2	NWNWNE	3	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN	VIEW ORCHA	RDS	TRAC	T/LOT:	: 19 BLOCK: 19

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

153862-00 153863-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153864-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	PENELOPE S MENNING 220 LINCOLN LN HAMILTON, MT 59840
	BRIAN E MENNING 220 LINCOLN LN HAMILTON, MT 59840
*Priority Date:	DECEMBER 31, 1931
Type of Historical Right	: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	UNNAMED TRIBUTARY OF BITTERROOT RIVER
Source Type:	SURFACE WATER
	ALSO KNOWN AS SMITHY CREEK
Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWSE 31 6N 20W RAVALLI
	: JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
Subdivision:	W AND R ADD TRACT/LOT: 9 BLOCK: 1
Period of Use:	JANUARY 1 TO DECEMBER 31

DECEMBER 4, 2015 76H 153864-00

Page 2 of 2

### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1		S	WSWSE	31	6N	20W	RAVALLI
	Subdivision:	W AND R ADD	TRACT/L	OT: 9	BLOC	K: 1	

### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153865-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LOIS C ROBINSON 4615 HOOVER LN STEVENSVILLE, MT 59870
	JERRIAN G JONES 4615 HOOVER LN STEVENSVILLE, MT 59870
	ANN HOUGHTON 4642 HOOVER LN STEVENSVILLE, MT 59870
	ROBERT HOUGHTON 4642 HOOVER LN STEVENSVILLE, MT 59870 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JUNE 29, 1973
Type of Historical Right	FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	1.00 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	40.00
Source Name: Source Type:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF THREEMILE CREEK SURFACE WATER

DECEMBER 4, 2015 76H 153865-00 Page 2 of 2

\*Point of Diversion and Means of Diversion: **Govt Lot** ID Qtr Sec Twp **Rge** County Sec 1 SWSE 32 10N 19W RAVALLI Period of Diversion: APRIL 1 TO NOVEMBER 1 **Diversion Means:** DITCH **APRIL 1 TO NOVEMBER 1 Period of Use:** Place of Use: ID Acres **Govt Lot** Qtr Sec Sec Twp Rge County 1 10.00 SWSE 10N 19W RAVALLI 32 Subdivision: SUNNYSIDE ORCHARDS NO 4 TRACT/LOT: 13 BLOCK: 16 2 30.00 SWSE 32 10N 19W RAVALLI Subdivision: SUNNYSIDE ORCHARDS NO 4 TRACT/LOT: 14-16 BLOCK: 16 40.00 Total:

### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 153947-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HEID, MARK & TAMMY REVOCABLE TRUST %MARK & TAMMY HEID TRUSTEES PO BOX 324 BIG HORN, WY 82833
Priority Date:	APRIL 1, 1883
Type of Historical Right:	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	118.00 GPM
*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:	7.00
*Source Name:	BURNT FORK CREEK
Source Type:	SURFACE WATER
*Point of Diversion and N	Aeans of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSE 33 9N 19W RAVALLI
Period of Diversion	: APRIL 15 TO OCTOBER 15
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	HALL DITCH (HEADGATE 18)
2	NWSESE 33 9N 19W RAVALLI
	: APRIL 15 TO OCTOBER 15
Diversion Means:	
Ditch Name:	HALL DITCH (HEADGATE 17)
Period of Use:	APRIL 15 TO OCTOBER 15

#### **Place of Use:**

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	7.00		SWSWNE	33	9N	19W RAVALLI
Total:	7.00					

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

150829-00 153947-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/15/2008: PLACE OF USE, MAXIMUM ACRES, FLOW RATE.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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Water Right Number:	76H 157335-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	KENNETH F SIEBEL 110 E BELL CROSSING RD STEVENSVILLE, MT 59870					
	JUDITH A SIEBEL WOOD ISLAND 4TH FLOOR 80 E SIR FRANCIS DRAKE BLVD LARKSPUR, CA 94939					
Priority Date:	JULY 1, 1959					
Type of Historical Right	USE					
Purpose(use):	IRRIGATION					
Irrigation Type:	SPRINKLER					
*Flow Rate:	289.00 GPM					
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area:	3 - MODERATE					
Maximum Acres:	17.00					
Source Name:	SPRING, UNNAMED TRIBUTARY OF BITTERROOT RIVER					
Source Type:	GROUNDWATER					
Point of Diversion and Means of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWSWSW108N20WRAVALLI					
<b>Period of Diversion</b>	: MAY 1 TO OCTOBER 31					
<b>Diversion Means:</b>	PUMP					
Period of Use:	MAY 1 TO OCTOBER 31					

### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	2.00		SESESE	9	8N	20W	RAVALLI
2	4.00		SWNWSW	9	8N	20W	RAVALLI
3	11.00		W2SWSW	10	8N	20W	RAVALLI
Total:	17.00						

### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/20/1997: FLOW RATE, PLACE OF USE, MAXIMUM ACRES.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 12/03/1999.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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Water Right Number:	76H 157336-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	PATRICK K KANE 2059 POPPY LN CORVALLIS, MT 59828			
Priority Date:	JUNE 8, 1918			
	THREE PRIORITY DATES ARE CLAIMED JUNE 8, 1918, NOVEMBER 7, 1934 AND MAY 13, 1965.			
Type of Historical Right	: FILED			
Purpose(use):	IRRIGATION			
Irrigation Type:	SPRINKLER			
Flow Rate:	255.00 GPM			
*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:	30.00			
*Source Name:	BUNKHOUSE CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and M	Means of Diversion:			
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySESESE37N20WRAVALLI			
Period of Diversion Diversion Means:	: MAY 15 TO SEPTEMBER 25 PUMP			
Period of Use:	MAY 15 TO SEPTEMBER 25			

### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1	10.00		S2S2SESE	3	7N	20W	RAVALLI
2	20.00		N2NENE	10	7N	20W	RAVALLI
Total:	30.00						

### **Remarks:**

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

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PRIORITY DATE OF THIS CLAIM IS UNCLEAR AS MULTIPLE PRIORITY DATES HAVE BEEN CLAIMED. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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Water Right Number:	76H 15735	<b>3-00</b> §	STATE	MENT	OF CL	AIM	
	Version:	1 ORI			-		
		Status:	AC	CTIVE			
Owners:	SHELLEY F PO BOX 14 HAMILTON	-6					
	VERN W PO PO BOX 14 HAMILTON	6	-				
Priority Date:							
Type of Historical Right	: USE						
Purpose(use):	IRRIGATIO	N					
Irrigation Type:	SPRINKLE	R					
Flow Rate:	1.00 CFS						
Volume:	40.00 AC-F	Т					
Climatic Areas	3 - MODER	ATE					
Maximum Acres:	3.00						
*Source Name:	COW CRE	EK, NOR	RTH FO	RK			
Source Type:	SURF	ACE WA	ATER				
	ALSO KNO	WN AS	UNNAN	/IED T	RIBUT	ARY O	F COW CREEK
*Point of Diversion and M	leans of Dive	ersion:					
$\frac{\text{ID}}{1}$	Govt Lot		tr Sec				County
1 Period of Diversion		-		15	6N	2000	RAVALLI
Diversion Means:		UCIUB					
	HAMILTON	I HEIGH	TS TR	ACT/L	OT: 10	BLOC	CK: 1
Period of Use:	JULY 1 TO	остов	ER 1				

### \*Place of Use:

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	3.00	S	WNWNW	15	6N	20W	RAVALLI
	Subdivision:	HAMILTON HE	GHTS TF	RACT/	LOT: 10	) BLO	CK: 1
Total	3.00						

### **Remarks:**

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

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE CLAIMED MEANS OF DIVERSION CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

AS OF 12/24/2013 , THIS WATER RIGHT APPEARS TO BE OWNED BY DAN AND DEB SYBRANT , 557 COW CREEK LANE , CORVALLIS , MT 59828.

IRRIGATION OF THE CLAIMED PLACE OF USE WITH THE CLAIMED SPRINKLER IRRIGATION SYSTEM IS QUESTIONABLE PRIOR TO JUNE 30, 1973. SEE CLAIM FILE FOR MORE INFORMATION.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NESWNW SEC 15 TWP 6N RGE 20W RAVALLI COUNTY.

NO PRIORITY DATE WAS CLAIMED.

THE APRIL 30, 1982 CLAIM FORM INDICATES A PROPOSED SPRINKLER IRRIGATION SYSTEM AND DOES NOT CLAIM A PRIORITY DATE. THERE IS NO INDICATION IN THE CLAIM FILE THAT STATES THIS WAS FLOOD IRRIGATED PRIOR TO JUNE 30, 1973.

THE TYPE OF IRRIGATION SYSTEM CANNOT BE CONFIRMED. IT IS UNCLEAR IF THIS RIGHT SHOULD BE DEFINED BY FLOW RATE OR VOLUME.

THE TYPE OF IRRIGATION SYSTEM CANNOT BE CONFIRMED. USDA AERIAL PHOTOGRAPH NO. 179-118 , DATED 08/02/1979 , SHOWS FLOOD IRRIGATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 157353-00 Page 3 of 3

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### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

valer Right Number.	/011 10/00	<b>1-00</b> 01A	
	Version:	1 ORIGIN	AL RIGHT
		Status:	ACTIVE
)wners:	3 SLEEPY	MORRISON OAKS CIRCI , TX 77024 5	LE
		ORRISON OAKS CIRCI , TX 77024 5	
	1904 HICK	RICHARDS ORY HOLLO AKE, VA 233	WCT
	EVERETT 53 CHERR BASALT, C	Y LANE	
	FREDERIC 53 CHERR BASALT, C		
	1904 HICK	ICHARDSON ORY HOLLO AKE, VA 233	W CT
	941 B AVE	E W & MOLL	Y ANN KORSON
	783 DRY G	AMILY TRUS GULCH RD /ILLE, MT 59	
		SSENS THREE LAN S, MT 59828	

Water Right Number: 76H 157357-00 STATEMENT OF CLAIM

Priority Date:

JUNE 1, 1958

DECEMBER 4, 2015 76H 157357-00 Page 2 of 3

Type of Hi	storical Right	:							
Purpose(u	se):	IRRIGATION	1						
Irr	igation Type:	FLOOD							
Flow Rate	:	168.30 GPM	l						
*Volume:			THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
(	Climatic Area	: 3 - MODERA	ΛTE						
Maximum	Acres:	19.00							
*Source Na	me:	SPOONER (	CREEK						
Source	Type:	SURFA	CE WATER						
*Point of D	iversion and N	Aeans of Diver	sion:						
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> SWSENE	<u>Sec</u> 35	<u>Тwp</u> 8N	<u>Rge</u> 20W	<u>County</u> RAVALLI		
			SEPTEMBER 1						
	sion Means:	DIKE							
Period of	Use:	MAY 1 TO S	EPTEMBER 1						
*Place of U	se:								
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>		
1	2.00		NESENE	34	8N	20W	RAVALLI		
2	1.00		SWNENE	35	8N	20W	RAVALLI		
3	9.00		S2SWNW	35	8N		RAVALLI		
4	2.00		NESWSE	35	8N	20W	RAVALLI		
5	3.00		NESW	35	8N	20W	RAVALLI		

NENWSW

### **Remarks:**

Total:

6

2.00

19.00

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

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8N

20W RAVALLI

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THIS CLAIM AND WATER RIGHT NO. 157895-00 APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/14/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD AND BARBARA GIAIMO AND DANIEL J. DAVIS.

AERIAL PHOTOGRAPH NO(S). CNR-2P-171 , DATED 08/01/1955 , APPEARS TO INDICATE 13.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED POINT OF DIVERSION MAY BE INCOMPLETE. IT APPEARS THERE SHOULD BE ADDITIONAL POINTS OF DIVERSION ON SPOONER CREEK WHICH COULD NOT BE IDENTIFIED FROM INFORMATION IN THE CLAIM FILE.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE AND A FILED RIGHT.

THE PRIORITY DATE OF THIS CLAIM IS UNCLEAR AS MULTIPLE PRIORITY DATES HAVE BEEN CLAIMED. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 157362-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners:** 

GEORGEANN ANDERSON 624 HILLTOP DR STEVENSVILLE, MT 59870

ELIZABETH LE COURE C/O MARCUS LE COURE 669 HOLLIBAUGH RD STEVENSVILLE, MT 59870 6601

TORSTEN WEDEL 628 HILLTOP DR STEVENSVILLE, MT 59870 6665

KEITH D PULSIPHER 2148 CANYON VIEW DR GRAND JUNCTION, CO 81503 2590

VENETT PULSIPHER 2148 S CANYON VIEW DR GRAND JUNCTION, CO 81507

JOANNA S CRAWFORD 4377 ILLINOIS BENCH RD STEVENSVILLE, MT 59870

THOMAS E MCINNIS 3888 BUD LN STEVENSVILLE, MT 59870 7018

JUDITH C VUGTEVEEN PO BOX 64 STEVENSVILLE, MT 59870 0064

KAREN G WALKER 3896 BUD LN STEVENSVILLE, MT 59870

THE

DECEMBER 4, 2015 76H 157362-00 Page 2 of 4

> PACIFIC LAND HOLDINGS LLC PO BOX 450 RED LODGE, MT 59068 0450

SHANE R BEAR 5451 EASTSIDE HWY FLORENCE, MT 59833

JESSICA WEDEL 628 HILLTOP DR STEVENSVILLE, MT 59870 6665

JOHN D VUGTEVEEN PO BOX 64 STEVENSVILLE, MT 59870 0064 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: OCTOBER 1, 1863

•			,						
Type of Histo	orical Right:	DECREED							
Purpose(use)	:	IRRIGATION	RRIGATION						
Irriga	tion Type:	SPRINKLER							
Flow Rate:		1.14 CFS							
*Volume:			VOLUME OF				T SHALL NOT EXCEE CIAL USE.	D	
Clin	matic Area:	3 - MODERA	TE						
Maximum A	cres:	47.00							
*Source Name	e:	BURNT FOR	K CREEK						
Source Ty	ype:	SURFA	CE WATER						
*Point of Dive	ersion and N	leans of Divers	sion:						
<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u>		Twp		County		
-	f Divorcion	1 : JANUARY 1	SWNWNW	30 ED 21	9N	1900	RAVALLI		
	n Means:	HEADGATE		ER JI					
2	in ivicuity.		NESWNE	33	9N	19W	RAVALLI		
Period o	of Diversion	: JANUARY 1	TO DECEMB	ER 31					
Diversio	n Means:	HEADGATE							
Period of Use	:	JANUARY 1	TO DECEMB	ER 31					
Place of Use:									
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>		
1	37.00	4	SWSW	19	9N	19W	RAVALLI		
2	10.00		SESE	24	9N	20W	RAVALLI		
Total:	47.00								

DECEMBER 4, 2015

76H 157362-00

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

157362-00 157363-00

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

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 160 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 26311-00, 26314-00, 30383-00, 30384-00, 31074-00, 31079-00, 45442-00, 45443-00, 104632-00, 104633-00, 115311-00, 115318-00, 124194-00, 124197-00, 157362-00, 157363-00.

THE CLAIMED MEANS OF DIVERSION MAY BE INCORRECT AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

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

ON 10/19/2014, THE MONTANA WATER COURT AUTHORIZED THE CREATION OF TWO IMPLIED CLAIMS FROM THIS WATER RIGHT. AS OF 2/14/2015, NOT ALL OWNERS OF RECORD HAVE SIGNED OFF TO ALLOW THE GENERATION OF THE TWO IMPLIED CLAIMS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/20/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY 10 ADDITIONAL OWNERS (SEE FILE FOR DETAILS).

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 15 TO OCTOBER 15.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 179-138 , DATED 08/02/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CNR-3P-20 , DATED 08/01/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE PRIORITY DATE OF THIS CLAIM IS UNCLEAR AS MULTIPLE PRIORITY DATES HAVE BEEN CLAIMED. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 157362-00 Page 4 of 4

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 157363-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JUDITH C VUGTEVEEN PO BOX 64 STEVENSVILLE, MT 59870 0064
	ELIZABETH LE COURE C/O MARCUS LE COURE 669 HOLLIBAUGH RD STEVENSVILLE, MT 59870 6601
	PACIFIC LAND HOLDINGS LLC PO BOX 450 RED LODGE, MT 59068 0450
	KAREN G WALKER 3896 BUD LN STEVENSVILLE, MT 59870
	TORSTEN WEDEL 628 HILLTOP DR STEVENSVILLE, MT 59870 6665
	JESSICA WEDEL 628 HILLTOP DR STEVENSVILLE, MT 59870 6665
	KEITH D PULSIPHER 2148 CANYON VIEW DR GRAND JUNCTION, CO 81503 2590
	GEORGEANN ANDERSON 624 HILLTOP DR STEVENSVILLE, MT 59870
	JOANNA S CRAWFORD 4377 ILLINOIS BENCH RD STEVENSVILLE, MT 59870

DECEMBER 4, 2015 76H 157363-00 Page 2 of 3

> THOMAS E MCINNIS 3888 BUD LN STEVENSVILLE, MT 59870 7018

VENETT PULSIPHER 2148 S CANYON VIEW DR GRAND JUNCTION, CO 81507

JOHN D VUGTEVEEN PO BOX 64 STEVENSVILLE, MT 59870 0064

SHANE R BEAR 5451 EASTSIDE HWY FLORENCE, MT 59833 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: OCTOBER 1, 1863

THERE ARE THREE PRIORITY DATES LISTED, OCT. 1, 1863, JUNE 1, 1872 AND JUNE 1, 1880.

**Type of Historical Right: DECREED** 

Purpose(use *Flow Rate:	2):	CONSISTS O DITCH SYSTI	F STOCK DR EM. THE FLO	NINKIN OW R	IG DIRI ATE IS	ECTLY	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:		STOCK WAT ANIMAL UNIT	ERING PURF T. ANIMAL UN		S AT TH SHALL I	HE RAT BE BAS	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER
*Source Nam	ne:	BURNT FOR	K CREEK				
Source 7	Гуре:	SURFAC	CE WATER				
*Point of Div	version and I	Means of Divers	ion:				
ID		Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp		<u>County</u>
1			SWNWNW	30	9N	19W	RAVALLI
		: JANUARY 1	TO DECEMB	ER 31			
	ion Means:	HEADGATE					
2			NESWNE	33	9N	19W	RAVALLI
		: JANUARY 1	TO DECEMB	ER 31			
Diversi	ion Means:	HEADGATE					
Period of Us	se:	JANUARY 1	TO DECEMBI	ER 31			
*Place of Use	:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1		4	SWSW	19	9N	19W	RAVALLI
2			SESE	24	9N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

157362-00 157363-00

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

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 160 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 26311-00, 26314-00, 30383-00, 30384-00, 31074-00, 31079-00, 45442-00, 45443-00, 104632-00, 104633-00, 115311-00, 115318-00, 124194-00, 124197-00, 157362-00, 157363-00.

THE CLAIMED MEANS OF DIVERSION MAY BE INCORRECT AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

ON 10/19/2014, THE MONTANA WATER COURT AUTHORIZED THE CREATION OF TWO IMPLIED CLAIMS FROM THIS WATER RIGHT. AS OF 4/14/2015, NOT ALL OWNERS OF RECORD HAVE SIGNED OFF TO ALLOW THE GENERATION OF THE TWO IMPLIED CLAIMS

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/21/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY 12 ADDITIONAL OWNERS( SEE FILE FOR DETAILS ).

THE PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE PRIORITY DATE OF THIS CLAIM IS UNCLEAR AS MULTIPLE PRIORITY DATES HAVE BEEN CLAIMED. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 1573	69-00	STATEMENT OF CLAIM
	Version:	1 0	RIGINAL RIGHT
		Statu	s: WITHDRAWN

**Owners:** 

CHARLES F STOUT % STOUT, DAVID MARK 563 COUGAR LANE STEVENSVILLE, MT 59870 6232

DAVID M STOUT 563 COUGAR LN STEVENSVILLE, MT 59870

SCOTT O STOUT 477 COUGAR LN STEVENSVILLE, MT 59870

TANYA R STOUT 477 COUGAR LN STEVENSVILLE, MT 59870

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): DOMESTIC

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/20/2014.

### Page 2 of 2

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 157847-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	FOWLER, MARK E TRUST 2220 ROY DR MISSOULA, MT 59801
	DOUGLAS E BAUMAN 738 WILLOUGHBY LN STEVENSVILLE, MT 59870 6922
	CHARLA F BAUMAN 738 WILLOUGHBY LN STEVENSVILLE, MT 59870 6922
	DILLER, WALTER & IRIS 1999 TRUST 14 VIA LAS ENCINAS CARMEL VALLEY, CA 93924
	CONNIE H RAKIECKI 623 19 1/2 RD GRAND JUNCTION, CO 81507 9501
	DAVID A RAKIECKI 623 19 1/2 RD GRAND JUNCTION, CO 81507 9501 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JULY 8, 1921
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	336.60 GPM

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

DECEMBER 4, 2015 76H 157847-00 Page 2 of 3

	Climatic Area	: 3 - MODERA	TE									
Maximur	n Acres:	30.00										
*Source N	ame:	WILLOUGHBY CREEK										
Sourc	e Type:	SURFACE WATER										
*Point of Diversion and Means of Diversion:												
<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NWNESW	<u>Sec</u> 13	<u>Twp</u> 8N	<u>Rge</u> 20W	<u>County</u> RAVALLI					
Period of Diversion: MAY 1 TO SEPTEMBER 1												
<b>Diversion Means:</b>		PUMP										
Subdivision:		HOME ACRES ORCHARD NO 3 TRACT/LOT: 8										
Period of Use:		MAY 1 TO SEPTEMBER 1										
*Place of Use:												
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>					
1	30.00		S2SW	13	8N	20W	RAVALLI					
Total:	30.00											

### **Remarks:**

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

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE CLAIMED MEANS OF DIVERSION CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER SYSTEM WAS FIRST PUT TO USE.

A WITHDRAWAL OF INTEREST IN WATER RIGHT CLAIM WAS RECEIVED ON 11/13/2009. THE REDUCTION IN FLOW RATE, VOLUME, AND TOTAL ACRES HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL CO-OWNERS. THESE ELEMENTS MAY BE EXCESSIVE.

A WITHDRAWAL OF INTEREST IN WATER RIGHT CLAIM WAS RECEIVED ON 11/10/2009. THE REDUCTION IN FLOW RATE, VOLUME, AND TOTAL ACRES HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL CO-OWNERS. THESE ELEMENTS MAY BE EXCESSIVE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Rig	ht Number:	76H 15784	18-00	STATE	MENT	OF CL	AIM	
		Version: 1 ORIGINAL RIGHT						
			Status	s: A	CTIVE	E		
Owners: DILLER, WALTER 14 VIA LAS ENCIN CARMEL VALLEY						FRUST		
*Priority D	ate:	DECEMBER 31, 1935						
Type of Historical Right		: USE						
Purpose(use):		IRRIGATION						
Irrigation Type:		FLOOD						
Flow Rate:		56.00 GPM						
*Volume:		THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
Climatic Area: 3 - MODERATE								
Maximum Acres:		2.00						
Source Name:		UNNAMED TRIBUTARY OF SOUTH WILLOUGHBY CREEK						
Source Type:		GROUNDWATER						
*Point of Diversion and Means of Diversion:								
<u>ID</u> 1		Govt Lot	NE	<u>Qtr Sec</u> SWSW	<u>Sec</u> 13	<u>Тwp</u> 8N		<u>County</u> RAVALLI
Period of Diversion: APRIL 1 TO SEPTEMBER 1								
<b>Diversion Means:</b>		PUMP						
Period of Use:		APRIL 1 TO SEPTEMBER 1						
*Place of U	se:							
ID	Acres	Govt Lot		<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	1.50		NV	VSESW	13	8N	20W	RAVALLI
2	0.50		NE	SWSW	13	8N	20W	RAVALLI
Total:	2.00							

### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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### **IMPORTANT NOTICE**

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Water Right Number:	76H 157850-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	THOMAS M DUDMAN 5651 BUFFALO AVE VAN NUYS, CA 91401 4506
	JOHN T CONRAD 17989 SW 105TH CT TUALATIN, OR 97062
	AMANDA D CONRAD 17989 SW 105TH CT TUALATIN, OR 97062 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
*Priority Date:	JULY 8, 1921
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	224.40 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	15.00
*Source Name:	WILLOUGHBY CREEK
Source Type:	SURFACE WATER

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NWNESW	<u>Sec</u> 13	<u>Twp</u> 8N	<u>Rge</u> 20W	<u>County</u> RAVALLI
-	eriod of Diversion	: MAY 1 TO SE		10		2011	
Di	version Means:	PUMP					
Su	bdivision:	HOME ACRE	S ORCHARD	NO 3	TRAC	T/LOT	: 4 BLOCK: 4
Period	of Use:	MAY 1 TO SE	PTEMBER 1				
*Place o	of Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	15.00		W2NESW	13	8N	20W	RAVALLI
	Subdivision:	HOME ACRE	S ORCHARD	NO 3	BLO	CK: 4	
Total:	15.00						

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

157850-00 157854-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 157854-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	AMANDA D CONRAD 17989 SW 105TH CT TUALATIN, OR 97062
	JOHN T CONRAD 17989 SW 105TH CT TUALATIN, OR 97062
	THOMAS M DUDMAN 5651 BUFFALO AVE VAN NUYS, CA 91401 4506 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JULY 8, 1921
Type of Historical Right	t: FILED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	WILLOUGHBY CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 157854-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1		NWNESW	13	8N	20W	RAVALLI
<b>Period of Diversion</b>	: JANUARY 1	TO DECEMB	ER 31			
<b>Diversion Means:</b>	LIVESTOCK	DIRECT FRO	M SO	URCE		
Subdivision:	HOME ACRE	ES ORCHARD	NO 3	TRAC	T/LOT	: 4 BLOCK: 4
2		NWNESW	13	8N	20W	RAVALLI
<b>Period of Diversion</b>	: JANUARY 1	TO DECEMB	ER 31			
<b>Diversion Means:</b>	LIVESTOCK	DIRECT FRO	M SO	URCE		
Subdivision:	HOME ACRE	ES ORCHARD	NO 3	TRAC	T/LOT	: 3 BLOCK: 4
Period of Use:	JANUARY 1	TO DECEMBE	ER 31			

\*Place of Use:

<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1			NWNESW	13	8N	20W	RAVALLI
	Subdivision:	HOME ACRES	S ORCHARD	NO 3	TRA	CT/LOT	: 4 BLOCK: 4
2			NWNESW	13	8N	20W	RAVALLI
	Subdivision:	HOME ACRES	S ORCHARD	NO 3	TRA	CT/LOT	: 3 BLOCK: 4

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

157850-00 157854-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 157854-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 157856-00 STATEMENT OF CLAIM
	Version: 2 SPLIT
	Status: ACTIVE
Owners:	CONNIE H RAKIECKI 623 19 1/2 RD GRAND JUNCTION, CO 81507 9501
	DAVID A RAKIECKI 623 19 1/2 RD GRAND JUNCTION, CO 81507 9501
*Priority Date:	DECEMBER 31, 1934
Type of Historical Right	: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	UNNAMED TRIBUTARY OF SOUTH WILLOUGHBY CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySESWSW138N20WRAVALLI
Period of Diversion	: JANUARY 1 TO DECEMBER 31
<b>Diversion Means:</b>	
Subdivision:	HOME ACRES ORCHARD NO 3 TRACT/LOT: 10A BLOCK: 4
Period of Use:	JANUARY 1 TO DECEMBER 31

DECEMBER 4, 2015 76H 157856-00

Page 2 of 2

### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1			SESWSW	13	8N	20W	RAVALLI
	Subdivision:	HOME ACRE	S ORCHARD	) NO 3	TRA	CT/LO	Г: 10A BLOCK: 4

### Remarks:

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

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 30047516, 30047517, 30047518.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 157867-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	TRIPLE J BAR RANCH INC % KAY DOWNEY 1225 WILLOW CREEK RD CORVALLIS, MT 59828 9479
*Priority Date:	NOVEMBER 10, 1884
Type of Historical Right:	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	89.76 GPM
*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:	30.00
Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSWNE76N19WRAVALLI
Period of Diversion	: MAY 1 TO OCTOBER 1
Diversion Means:	HEADGATE
Ditch Name:	
Period of Use:	MAY 1 TO OCTOBER 1

DECEMBER 4, 2015 76H 157867-00 Page 2 of 2

### Place of Use:

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	12.00		S2SENW	12	6N	20W	RAVALLI
2	4.00		SESWNW	12	6N	20W	RAVALLI
3	10.00		W2NESW	12	6N	20W	RAVALLI
4	4.00		NENWSW	12	6N	20W	RAVALLI
Total:	30.00						

### 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.

157867-00 157868-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/02/2015: PLACE OF USE, MAXIMUM ACRES.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	76H 157868-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	TRIPLE J BAR RANCH INC % KAY DOWNEY 1225 WILLOW CREEK RD CORVALLIS, MT 59828 9479
*Priority Date:	JUNE 1, 1860
Type of Historical Right:	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	123.42 GPM
*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:	30.00
Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER
Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSWNE76N19WRAVALLI
	: MAY 1 TO OCTOBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	
Period of Use:	MAY 1 TO OCTOBER 1

DECEMBER 4, 2015 76H 157868-00 Page 2 of 2

### Place of Use:

ID	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	12.00		S2SENW	12	6N	20W	RAVALLI
2	4.00		SESWNW	12	6N	20W	RAVALLI
3	10.00		W2NESW	12	6N	20W	RAVALLI
4	4.00		NENWSW	12	6N	20W	RAVALLI
Total:	30.00						

### 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.

157867-00 157868-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	76H 157869-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE		
Owners:	TRIPLE J BAR RANCH INC % KAY DOWNEY 1225 WILLOW CREEK RD CORVALLIS, MT 59828 9479		
*Priority Date:	DECEMBER 31, 1960		
Type of Historical Right	: USE		
Purpose(use):	IRRIGATION		
Irrigation Type:	SPRINKLER/FLOOD		
Flow Rate:	224.40 GPM		
*Volume:	THE TOTAL VOLUME OF THIS 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:	16.00		
Source Name:	CALF CREEK		
Source Type:	SURFACE WATER		
	ALSO KNOWN AS COW CREEK		
Point of Diversion and N	Aeans of Diversion:		
$\underline{ID}_{t}$	Govt Lot Qtr Sec Sec Twp Rge County		
1 Period of Diversion Diversion Means:	NESENW 12 6N 20W RAVALLI : JANUARY 1 TO DECEMBER 31 DAM		

**Reservoir:** 

**Govt Lot** Otr Sec Sec Twp **Rge** County NESENW 20W RAVALLI 6N 12 **DIVERSION #1 Diversion to Reservoir:** 7.00 FEET Dam Height: 3.00 FEET Depth: Surface Area: 0.10 ACRES **Capacity:** 0.10 ACRE-FEET SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. JUNE 1 TO OCTOBER 1 Period of Use: Place of Use: ID **Govt Lot** Qtr Sec **Rge** County Acres Sec <u>Twp</u> 1 16.00 SENW 12 6N 20W RAVALLI 16.00 Total:

### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

157869-00 157870-00 157871-00

**ONSTREAM** 

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 157870-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	TRIPLE J BAR RANCH INC % KAY DOWNEY 1225 WILLOW CREEK RD CORVALLIS, MT 59828 9479					
*Priority Date:	DECEMBER 31, 1960					
Type of Historical Right	: USE					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	CALF CREEK					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS COW CREEK					
Point of Diversion and I	Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESENW126N20WRAVALLI					
Period of Diversion	: JANUARY 1 TO DECEMBER 31					
Diversion Means						

**Diversion Means:** DAM

DECEMBER 4, 2015 76H 157870-00 Page 2 of 2

\*Reservoir:

**Govt Lot** Otr Sec Rge County Sec Twp NESENW 20W RAVALLI 12 6N **DIVERSION #1 Diversion to Reservoir:** 7.00 FEET Dam Height: 3.00 FEET Depth: Surface Area: 0.10 ACRES **Capacity:** 0.10 ACRE-FEET SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. **JANUARY 1 TO DECEMBER 31** Period of Use: \*Place of Use: ID **Govt Lot** Qtr Sec **Rge** County Acres <u>Sec</u> <u>Twp</u> 1 NESENW 12 6N 20W RAVALLI

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

157869-00 157870-00 157871-00

**ONSTREAM** 

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 157871-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	TRIPLE J BAR RANCH INC % KAY DOWNEY 1225 WILLOW CREEK RD CORVALLIS, MT 59828 9479					
*Priority Date:	DECEMBER 31, 1960					
Type of Historical Right	: USE					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	CALF CREEK					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS COW CREEK					
Point of Diversion and I	Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESENW126N20WRAVALLI					
Period of Diversion	: JANUARY 1 TO DECEMBER 31					
Divorsion Moons						

**Diversion Means:** DAM

DECEMBER 4, 2015 76H 157871-00 Page 2 of 2

**Reservoir:** 

**Govt Lot** Otr Sec Rge County Sec Twp NESENW 20W RAVALLI 12 6N **DIVERSION #1 Diversion to Reservoir:** 4.00 FEET Dam Height: 3.00 FEET Depth: Surface Area: 0.02 ACRES **Capacity:** 0.02 ACRE-FEET SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. **JANUARY 1 TO DECEMBER 31** Period of Use: \*Place of Use: ID **Govt Lot** Qtr Sec **Rge** County Acres <u>Sec</u> <u>Twp</u> 1 NESENW 12 6N 20W RAVALLI

### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

157869-00 157870-00 157871-00

**ONSTREAM** 

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number	: 76H 157872	-00 STATE	MENT	OF CL	AIM			
	Version: 1	Version: 1 ORIGINAL RIGHT						
	S	Status: A	CTIVE					
Owners:	% KAY DOW 1225 WILLO	TRIPLE J BAR RANCH INC % KAY DOWNEY 1225 WILLOW CREEK RD CORVALLIS, MT 59828 9479						
*Priority Date:	DECEMBER	31, 1930						
Type of Historical Rig	ght: USE							
Purpose(use):	STOCK							
*Flow Rate:	CONSISTS O DITCH SYST	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.						
*Volume:	STOCK WAT ANIMAL UNI	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE						
Source Name:	SPRING, UN	NAMED TRI	BUTAF	RY OF	WILLO	W CREEK		
Source Type:	SURFA	CE WATER						
Point of Diversion an	d Means of Diver	sion:						
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> SESWNW	<u>Sec</u> 12	<u>Twp</u> 6N		<u>County</u> RAVALLI		
' Period of Divers	ion: JANUARY 1			-	2011			
<b>Diversion Means</b>	: LIVESTOCK	DIRECT FRO	OM SC	URCE				
Period of Use:	JANUARY 1 TO DECEMBER 31							
*Place of Use:								
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County		
1		SESWNW	12	6N	20W	RAVALLI		

### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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### **IMPORTANT NOTICE**

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Water Right Number:	76H 157873-00 STATEMENT OF CLAIM							
	Version: 1 ORIGINAL RIGHT							
	Status: ACTIVE							
Owners:	KAY S CASSENS 653 CAMP THREE LANE CORVALLIS, MT 59828 9645							
*Priority Date:	DECEMBER 31, 1910							
Type of Historical Right	: USE							
Purpose(use):	STOCK							
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.							
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.							
Source Name:	UNNAMED TRIBUTARY OF DRY GULCH							
Source Type:	SURFACE WATER							
*Point of Diversion and Means of Diversion:								
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNENE 2 7N 20W RAVALLI							
·	NWNENE 2 7N 20W RAVALLI I: JANUARY 1 TO DECEMBER 31							
Diversion Means:	DAM							
	THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.							

DECEMBER 4, 2015 76H 157873-00 Page 2 of 2

*Reservoir: ONS	STREAM					
	Govt Lot	<u>Qtr Sec</u> NWNENE	<u>Sec</u> 2	<u>Twp</u> 7N		<u>County</u> RAVALLI
Diversion to Re	servoir: DI	VERSION # 1				
Dam Height:	!	9.00 FEET				
Depth:		6.00 FEET				
Surface Area:	(	0.42 ACRES	3			
Capacity:		1.00 ACRE-	FEET			
	THE CAPACI BEEN ESTIM	,		EA, MA	XIMUM	DEPTH AND DAM HEIGHT HAVE
Period of Use:	JANUARY 1 T	O DECEMBI	ER 31			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County
1		NWNENE	2	7N	20W	RAVALLI
THE DNRC EXAMI ISSUES TO REPOR				UND N	NO SIC	GNIFICANT FACTS, DATA, OR

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 15787	4-00 STATE	MENT	OF CL	AIM.		
	Version:	1 ORIGINAL	RIGH	IT			
		Status: A	CTIVE				
Owners:	KAY S CASSENS 653 CAMP THREE LANE CORVALLIS, MT 59828 9645						
*Priority Date:	DECEMBE	R 31, 1910					
Type of Historical Right	USE						
Purpose(use):	STOCK						
Flow Rate:	20.00 GPM						
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.						
*Source Name:	SPRING, U	INNAMED TRI	BUTAI	RY OF	NORTH	I BIRCH CREEK	
Source Type:	GROL	JNDWATER					
*Point of Diversion and M	Aeans of Dive	ersion:					
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> NWSESE	<u>Sec</u> 7	<u>Twp</u> 7N		<u>County</u> RAVALLI	
Period of Diversion	: JANUARY		ER 31				
<b>Diversion Means:</b>	DEVELOP	ED SPRING					
Period of Use:	JANUARY	1 TO DECEMBI	ER 31				
Place of Use:							
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>	
1		SWNWSE	7	7N	19W	RAVALLI	

### **Remarks:**

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED MEANS OF DIVERSION CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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Water Right Number	: 76H 157875-0	0 STATE	MENT	OF CL	AIM			
	Version: 1	- ORIGINAL	RIGH	IT				
	St	atus: A	CTIVE					
Owners:	653 CAMP TH	KAY S CASSENS 653 CAMP THREE LANE CORVALLIS, MT 59828 9645						
*Priority Date:	DECEMBER 3	1, 1910						
Type of Historical Ri	ght: USE							
Purpose(use):	STOCK							
*Flow Rate:	CONSISTS OF DITCH SYSTE	F STOCK DF M. THE FLO	RINKIN DW R	IG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.		
*Volume:	STOCK WATE ANIMAL UNIT	RING PURF ANIMAL UN		S AT TH SHALL I	HE RAT	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER		
*Source Name:	SPRING, UNN	AMED TRI	BUTAI	RY OF I	NORTH	H BIRCH CREEK		
Source Type:	SURFAC	E WATER						
Point of Diversion a	nd Means of Diversi	on:						
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> SENWNW	<u>Sec</u> 2	<u>Twp</u> 7N		<u>County</u> RAVALLI		
Period of Divers	ion: JANUARY 1 1	O DECEMB	ER 31					
<b>Diversion Mean</b>	s: LIVESTOCK I	DIRECT FRO	DM SC	URCE				
Period of Use:	JANUARY 1 T	O DECEMBI	ER 31					
Place of Use:								
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County		
1		SENWNW	2	7N	20W	RAVALLI		

### Remarks:

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

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Water Right Number:	76H 157879-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	SHIRLEY J KILGORE 1319 MENLO AVE NAPA, CA 94558
	GERALD J KILGORE 1319 MENLO AVE NAPA, CA 94558
Priority Date:	MAY 1, 1870
Type of Historical Right:	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	22.44 GPM
*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:	1.63
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Ieans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI
Period of Diversion Diversion Means: Ditch Name:	: HEADGATE HEDGE DITCH

DECEMBER 4, 2015 76H 157879-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

I offic of Diversion and it	Icans of Divers					
<u>ID</u>	Govt Lot	<u>Qtr Sec</u>		<u>Twp</u>		County
2 - SECONDARY		NWSWNW	8	5N	2000	RAVALLI
Period of Diversion	:					
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	MORTON-TA	YLOR DITCH	ł			
	WATER FRO		ITCH	IS CON	IVEYE	D THROUGH MORTON-TAYLOR DITCH
	POINT WHE IS PART OF EXCHANGE WATER FRO LINE (SWSV R20W). THE PETITION FO DISTRICT IN DISTRICT, F	RE THE HED THE SKALKA WATER FRO M SKALKAH VNE SEC 30 EXCHANGEI DR ORGANIZ I RAVALLI CC	GE DI HO C OM TH O CRI T5N R D WA ATION OUNT CIAL	ITCH IN REEK 7 IE BITT EEK TH 19W) A TER RE N AND I Y, TO B DISTRI	ITERSI AND B ERRO IAT IS AND W ELATIO ESTAB E KNO CT IN /	A IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE SLISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).

#### **Period of Use:**

Place of U	se:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	1.63		NWSWNE	7	5N	20W	RAVALLI
Total:	1.63						

### Remarks:

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 21.09 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4604-00, 21146-00, 21147-00, 33677-00, 100551-00, 148039-00, 148270-00, 150168-00, 150169-00, 150171-00, 157879-00.

AS OF 12/31/2013 , THIS WATER RIGHT APPEARS TO BE OWNED BY JULIA LYNN DI RIENZO , 1161 1ST AVE , NAPA, CA , 94558-3941.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

NO PERIOD OF USE HAS BEEN CLAIMED. THE USUAL AND REASONABLE PERIOD OF USE IN THIS AREA IS APRIL 1 TO OCTOBER 31.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

water Right Mulliber.								
	Version:	1 ORIGIN	NAL RIGHT					
		Status:	ACTIVE					
Owners:	DAVID C T PO BOX 4 STEVENS		9870					
	%WHITNE 2417 SOU	RRY W III TH Y FENSKE · TH SUNSET VILLE, MT 5						
	1037 BOY	JSAN MADSEN 137 BOYLAN RD APT 6 DZEMAN, MT 59715 1507						
	WILLIAM J 2837 SUN STEVENS							
	JOHN R G 2824 SUN STEVENS							
		BOYLAN RD APT 6 EMAN, MT 59715 1507 S TRUSTS HITNEY FENSKE						
	PO BOX 4							
Priority Date:	AUGUST 24, 1907							
Type of Historical Right	: FILED							
Purpose(use):	IRRIGATIO	ON						
Irrigation Type:	FLOOD							
Flow Rate:	5.00 CFS							

Water Right Number: 76H 157891-00 STATEMENT OF CLAIM

DECEMBER 4, 2015 76H 157891-00

Page 2 of 3

*Volume:	Climatic Area	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. 3 - MODERATE									
Maximun	n Acres:	160.00	160.00								
*Source Na Source	ame: e Type:	BURNT FORK CREEK SURFACE WATER									
*Point of Diversion and Means of Diversion:											
<u>ID</u> 1		<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWNE 14 8N 19W RAVALLI									
Dive	rsion Means: 1 Name:	n: APRIL 15 TO OCTOBER 15 HEADGATE HIGHLINE DITCH (HEADGATE 1) APRIL 15 TO OCTOBER 15									
Place of U	Jse:			-	Т	Daa	Country				
<u>ID</u> 1 Total:	<u>Acres</u> 160.00 160.00	<u>Govt Lot</u>	<u>Qtr Sec</u> NW	<u>Sec</u> 15	<u>Twp</u> 8N	<u>kge</u> 19W	<u>County</u> RAVALLI				

#### 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.

157891-00 157892-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 379-51, DATED 08/16/1979, APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATON ON BURNT FORK CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 556 , RAVALLI COUNTY.

A WITHDRAWAL OF INTEREST IN WATER RIGHT CLAIM WAS RECEIVED ON 05/16/2014. THE REDUCTION IN FLOW RATE AND TOTAL ACRES HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL CO-OWNERS. THESE ELEMENTS MAY BE EXCESSIVE.

A WITHDRAWAL OF INTEREST IN WATER RIGHT CLAIM WAS RECEIVED ON 05/20/2014. THE REDUCTION IN FLOW RATE AND TOTAL ACRES HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL CO-OWNERS. THESE ELEMENTS MAY BE EXCESSIVE. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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Water Right Number:	76H 157892-00	STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners:** 

BASS, HARRY W III TRUST %WHITNEY FENSKE -TRUSTEE 2417 SOUTH SUNSET BENCH RD STEVENSVILLE, MT 59870

DAVID C THOMAS PO BOX 401 STEVENSVILLE, MT 59870

WESLEY K WEST 3012 LA FONTAINE LN STEVENSVILLE, MT 59870 6816

SUSAN MADSEN 1037 BOYLAN RD APT 6 BOZEMAN, MT 59715 1507

HILDA M JONES 3012 LA FONTAINE LN STEVENSVILLE, MT 59870 6816

HAL MADSEN 1037 BOYLAN RD APT 6 BOZEMAN, MT 59715 1507

AMY LIDDLE 3012 LA FONTAINE LN STEVENSVILLE, MT 59870

MARK E PIRAK 21631 36TH AVE NW STANWOOD, WA 98292

MARGARET S JEWEL 21631 36TH AVE NW STANWOOD, WA 98292

		ENSKE Y 82834 UPDATE PR E SPLIT INT			-	ONEW OWNERS. THE WATER ER RIGHTS UPON REQUEST OF
Priority Date:	MAY 19, 1888					
Type of Historical Right	FILED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	5.00 CFS					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area: 3 - MODERATE						
Maximum Acres:	135.00					
*Source Name:	CABIN CREE	к				
Source Type:	SURFAC	E WATER				
ALSO KNOWN AS SHEEP CORRAL CREEK						
*Point of Diversion and Means of Diversion:						
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u>		<u>Twp</u>		County
1 Period of Diversion		NWSWNE	15	8N	1977	RAVALLI
Diversion Means:	HEADGATE	OCTOBER	5			
Period of Use:	APRIL 15 TO	OCTOBER 1	5			
Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1 79.00		S2SW	10	8N	19W	RAVALLI
2 56.00		N2NW	15	8N	19W	RAVALLI
<b>Total:</b> 135.00						

### Remarks:

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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.

157891-00 157892-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

DECEMBER 4, 2015

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FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 03/29/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SEVERAL DIFFERENT OWNERS.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 379-51 , DATED 08/16/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A WITHDRAWAL OF INTEREST IN WATER RIGHT CLAIM WAS RECEIVED ON 05/06/2014. THE REDUCTION IN FLOW RATE AND TOTAL ACRES HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL CO-OWNERS. THESE ELEMENTS MAY BE EXCESSIVE.

A WITHDRAWAL OF INTEREST IN WATER RIGHT CLAIM WAS RECEIVED ON 05/16/2014. THE REDUCTION IN FLOW RATE AND TOTAL ACRES HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL CO-OWNERS. THESE ELEMENTS MAY BE EXCESSIVE.

A WITHDRAWAL OF INTEREST IN WATER RIGHT CLAIM WAS RECEIVED ON 05/20/2014. THE REDUCTION IN FLOW RATE AND TOTAL ACRES HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL CO-OWNERS. THESE ELEMENTS MAY BE EXCESSIVE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

		Status	: WITHDRAWN		
	Version: 1 O		ORIGINAL RIGHT		
Water Right Number:	76H 1578	93-00	STATEMENT OF CLAIM		

Owners: DOR 1007

DOROTHY LUEDECKE 1007 S 5TH ST HAMILTON, MT 59840

JOE CANTON 106 N SAPPHIRE HAMILTON, MT 59840

**Priority Date:** 

Enforceable Priority Date:

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: CABIN CREEK

**Point of Diversion and Means of Diversion:** 

**Period of Use:** 

Place of Use:

### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 05/06/2014.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 157894-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE Late Claim: A
Owners:	E J NORDENSTROM 937 EASTSIDE HWY CORVALLIS, MT 59828
	SHILO E GILLAN 937 EASTSIDE HWY CORVALLIS, MT 59828
	LINDA K SINERIUS 937 EASTSIDE HWY CORVALLIS, MT 59828
	DONALD R SESSOMS 947 EASTSIDE HWY CORVALLIS, MT 59828 9451 OWNER LINDA K SINERIUS RETAINED. CONTRACT FOR DEED INTEREST.
Priority Date:	MAY 31, 1902
	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.
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	35.00 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	3.00

DECEMBER 4, 2015 76H 157894-00 Page 2 of 2

Source Na	ame:	COW CREEK							
Sourc	Source Type: SURFACE WATER								
Point of I	Diversion and N	Aeans of Diversio	n:						
<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 5	<u>Тwp</u> 6N	<u>Rge</u> 20W	<u>County</u> RAVALLI		
Perio	od of Diversion	: MAY 15 TO O	CTOBER 15						
Dive	rsion Means:	PUMP							
Period of	Use:	MAY 15 TO OC	TOBER 15						
Place of U	Jse:								
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>		
1	3.00		SENESE	5	6N	20W	RAVALLI		
Total:	3.00								

#### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 157895-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	DAVID J RICHARDSON 1904 HICKORY HOLLOW CT CHESAPEAKE, VA 23321
	EVERETT L PEIRCE 53 CHERRY LANE BASALT, CO 81621
	GEORGE W KORSON 941 B AVE CORONADO, CA 92118
	FREDERICA PEIRCE 53 CHERRY LANE BASALT, CO 81621
	WILLIAM E MORRISON 3 SLEEPY OAKS CIRCLE HOUSTON, TX 77024 5427
	RENFRO FAMILY TRUST 783 DRY GULCH RD STEVENSVILLE, MT 59870 6044
	MARY E MORRISON 3 SLEEPY OAKS CIRCLE HOUSTON, TX 77024 5427
	MOLLY ANN KORSON 941 B AVE CORONADO, CA 92118
	MARCIA M RICHARDSON 1904 HICKORY HOLLOW CT CHESAPEAKE, VA 23320
	OWNER RENFRO FAMILY TRUST RETAINED. CONTRACT FOR DEED INTEREST.

		OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.						
Priorit	y Date:	JUNE 1, 1958						
Type o	f Historical Right	: USE						
Purpo	se(use):	IRRIGATION						
	Irrigation Type:	FLOOD						
Flow F	Rate:	168.30 GPM						
*Volum	e:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
	Climatic Area:	2 - MODERATELY HIGH						
*Maxin	num Acres:	17.00						
*Source	e Name:	SPOONER CREEK						
Sou	irce Type:	SURFACE WATER						
Point	of Diversion and N	Means of Diversion:						
<u>ID</u> 1		<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENENE 35 8N 20W RAVALLI						
•	eriod of Diversion	: MAY 1 TO SEPTEMBER 1						
_	iversion Means:	DIKE						
Period	of Use:	MAY 1 TO SEPTEMBER 1						
*Place of	of Use:							
<u>ID</u>	Acres	<u>Govt Lot</u> <u>Qtr Sec Sec Twp Rge County</u>						
1	1.00 Subdivision:	SWSENE 35 8N 20W RAVALLI HOME ACRES ORCHARD NO 1 TRACT/LOT: 19A BLOCK: 23						
2	9.00	S2SWNW 35 8N 20W RAVALLI						
3	2.00	NESWSE 35 8N 20W RAVALLI						
	Subdivision:	HOME ACRES ORCHARD NO 1 TRACT/LOT: 15 BLOCK: 22						
4	3.00 Subdivision:	NESW 35 8N 20W RAVALLI HOME ACRES ORCHARD NO 1 TRACT/LOT: 1-4 BLOCK: 23						
5	2.00	NENWSW 35 8N 20W RAVALLI						
Total								
_ • • • • •		THE PLACE OF USE INCLUDES CERTIFICATE OF SURVEY NO. 1742 , RAVALLI COUNTY.						

#### **Remarks:**

ā.,

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THIS CLAIM AND WATER RIGHT NO. 157357-00 APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

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

DECEMBER 4, 2015

76H 157895-00 Page 3 of 3

THE RAVALLI COUNTY WATER RESOURCES SURVEY ( 1958 ) APPEARS TO INDICATE 7.94 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-140 , DATED 08/02/1979 APPEARS TO INDICATE 3.99 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

PART OF THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

THE CLAIMED POINT OF DIVERSION MAY BE INCOMPLETE. IT APPEARS THERE SHOULD BE ADDITIONAL POINTS OF DIVERSION ON DRY GULCH WHICH COULD NOT BE IDENTIFIED FROM INFORMATION IN THE CLAIM FILE.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A FILED AND A USE RIGHT.

THE PRIORITY DATE OF THIS CLAIM IS UNCLEAR AS MULTIPLE PRIORITY DATES HAVE BEEN CLAIMED. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 157899-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	NORMA P LESLIE 342 WINTERS LN STEVENSVILLE, MT 59870				
	JASON FISCUS 342 WINTERS LN STEVENSVILLE, MT 59870				
Priority Date:	FEBRUARY 28, 1870				
Type of Historical Right	: FILED				
Purpose(use):	DOMESTIC				
Flow Rate:	30.00 GPM				
Volume:	7.75 AC-FT				
Households:	1				
Maximum Acres:	2.50				
*Source Name:	GROUNDWATER				
Source Type:	GROUNDWATER				
Point of Diversion and M	Means of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSESW108N20WRAVALLI				
*Period of Diversion Diversion Means:	: JANUARY 1 TO DECEMBER 31 WELL				
Period of Use:	JANUARY 1 TO DECEMBER 31				
Place of Use:					
ID <u>Acres</u>	<u>Govt Lot</u> <u>Qtr Sec Sec Twp Rge County</u>				
1 2.50	SWSESW 10 8N 20W RAVALLI				
<b>Total:</b> 2.50					

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/19/2015: PURPOSE, NUMBER OF HOUSEHOLDS, TYPE OF RIGHT, PERIOD OF DIVERSION, PERIOD OF USE, PLACE OF USE, TOTAL ACRES, FLOW RATE, VOLUME, PRIORITY DATE.

CLAIM FILED 05/03/1982 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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Water Right Number:	76H 157900-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JASON FISCUS 342 WINTERS LN STEVENSVILLE, MT 59870
	NORMA P LESLIE 342 WINTERS LN STEVENSVILLE, MT 59870
Priority Date:	MARCH 31, 1936
Type of Historical Right	: USE
Purpose(use):	STOCK
Flow Rate:	30.00 GPM
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	GROUNDWATER
Source Type:	GROUNDWATER
Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSESW108N20WRAVALLI
	: JANUARY 1 TO DECEMBER 31
<b>Diversion Means:</b>	WELL
Period of Use:	JANUARY 1 TO DECEMBER 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	SWSESW 10 8N 20W RAVALLI

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/19/2015: PURPOSE, TYPE OF RIGHT, POINT OF DIVERSION, PERIOD OF USE, FLOW RATE, VOLUME, PRIORITY DATE.

CLAIM FILED 05/03/1982 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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Water Right Number:	76H 157901-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
	Late Claim: A
Owners:	NORMA P LESLIE 342 WINTERS LN STEVENSVILLE, MT 59870
	JASON FISCUS 342 WINTERS LN STEVENSVILLE, MT 59870
Priority Date:	OCTOBER 31, 1922
	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.
Type of Historical Right	: USE
Purpose(use):	LAWN AND GARDEN
Flow Rate:	10.00 GPM
Volume:	2.50 AC-FT
Maximum Acres:	1.00
*Source Name:	GROUNDWATER
Source Type:	GROUNDWATER
*Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSESW108N20WRAVALLI
	: JANUARY 1 TO DECEMBER 31
Diversion Means:	
Period of Use:	JANUARY 1 TO DECEMBER 31

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>	
1	1.00		SWSESW	10	8N	20W RAVALLI	
Total:	1.00						

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/19/2015: PURPOSE, TYPE OF RIGHT, PRIORITY DATE, PLACE OF USE, TOTAL ACRES, PERIOD IF USE, PERIOD OF DIVERSION, FLOW RATE, VOLUME.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 157902-	00 STATE	MENT	OF CL	AIM	
	Version: 1	ORIGINAL	RIGH	IT		
	S	tatus: A	CTIVE			
Owners:	STACY A SC 808 PONDER HAMILTON, M	ROSA DR	21			
	ROBERT S E 808 PONDER HAMILTON, M	ROSA DR	21			
Priority Date:	MAY 3, 1901					
Type of Historical Right	: USE					
Purpose(use):	IRRIGATION					
Irrigation Type:	SPRINKLER/	FLOOD				
*Flow Rate:	34.00 GPM					
	-	-		-		I REDUCED TO 17 GPM PER ACRE. PROPER OBJECTION.
*Volume:	THE TOTAL AMOUNT PU					IT SHALL NOT EXCEED THE CIAL USE.
Climatic Area	: 3 - MODERA	TE				
Maximum Acres:	2.00					
*Source Name: Source Type:	BITTERROO SURFA	T RIVER CE WATER				
*Point of Diversion and N	Aeans of Divers	sion:				
<b>ID</b> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> SENENW		<u>Тwp</u> ЗN		<u>County</u> RAVALLI
<b>Period of Diversion</b>		CTOBER 1				
Diversion Means:			лц.			
Ditch Name:	TIEDT-NICH		ЪЦ			
Period of Use:	MAY 1 TO OC	JIOBER 1				

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	2.00	8	SWNESW	2	ЗN	21W	RAVALLI
Total:	2.00						

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AS OF 02/11/2009 , THIS WATER RIGHT APPEARS TO BE OWNED BY WALLACE E. EVERS AND BONNIE R. EVERS , PO BOX 44 , DARBY , MT 59829.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BITTERROOT RIVER WITH A PRIORITY DATE PREDATING CASE NO. 1287 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 157921-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
	Late Claim: A
Owners:	RODNEY J OSBURN 48901 US HWY 93 POLSON, MT 59860 7472
	VALENE OSBURN 48901 US HWY 93 POLSON, MT 59860 7472
<b>*Priority Date:</b>	FEBRUARY 5, 1951
	CLAIM FILED LATE 05/05/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
*Flow Rate:	153.00 GPM
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
*Maximum Acres:	9.00
*Source Name:	UNNAMED TRIBUTARY OF BITTERROOT RIVER
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 157921-00 Page 2 of 2

#### \*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NWNWNW	<u>Sec</u> 17	<u>Twp</u> 6N	<u>Rge</u> 20W	<u>County</u> RAVALLI	
	riod of Diversion	: MAY 15 TO		17	OIN	2000	KAVALLI	
211	version Means:					-		
Sut	odivision:	BLACK LANE ESTATES TRACT/LOT: 5 PUMP USED AS AN ADDITIONAL MEANS OF DIVERSION						
				HON/	AL MEA	AINS OF	DIVERSION.	
Period o	of Use:	MAY 15 TO	OCTOBER 1					
*Place of	Use:							
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>	
1	9.00		NWNWNW	17	6N	20W	RAVALLI	
Total:	9.00							

#### **Remarks:**

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 179-118, DATED 08/02/1979, APPEARS TO INDICATE 4.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. CNR-2P-32 , DATED 08/01/1955 , APPEARS TO INDICATE 5.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 162938-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	KARI J SCHIFFMAN PO BOX 281213 LAMOILLE, NV 89828
<b>Priority Date:</b>	JUNE 1, 1866
Type of Historical Right	: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	NORTH SWAMP CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS SAPIEL CREEK
Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySESENE269N20WRAVALLI
Period of Diversion	: JANUARY 1 TO DECEMBER 31
Diversion Means:	
Ditch Name:	HOWARD-KEENAN DITCH (HEADGATE 77)

Period of Use: JANUARY 1 TO DECEMBER 31

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			SESENW	26	9N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

162938-00 171845-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 162939-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	EDWARD L QUICK 5481 OLD EASTSIDE HWY STEVENSVILLE, MT 59870 6029				
	KATHERINE A QUICK 5481 OLD EASTSIDE HWY STEVENSVILLE, MT 59870 6029				
Priority Date:	JUNE 3, 1893				
Type of Historical Right	: FILED				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
*Source Name:	SPRING, UNNAMED TRIBUTARY OF BITTERROOT RIVER				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS LYNCH SPRING				
*Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt Lot Qtr Sec Sec Twp Rge County				
	SESENE 25 10N 20W RAVALLI				
Diversion Means:	I: JANUARY 1 TO DECEMBER 31 UNDEVELOPED SPRING				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1				25	10N	20W	RAVALLI

#### Remarks:

THE PURPOSE AND MEANS OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 02/19/2015.

CLAIM FILED 05/03/1982 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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Water Right Number:	76H 162942-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	CAROL L QUIST 618 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
	CORNELIS QUIST 618 HAMILTON HEIGHTS RD CORVALLIS, MT 59828
Priority Date:	JANUARY 3, 1953
Type of Historical Right	FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
*Flow Rate:	130.90 GPM
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
*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:	7.50
*Source Name:	COW CREEK
Source Type:	SURFACE WATER
*Point of Diversion and N	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESWNW156N20WRAVALLI
	: APRIL 15 TO OCTOBER 31
Diversion Means: Subdivision:	HEADGATE HAMILTON HEIGHTS TRACT/LOT: 11 BLOCK: 1

DECEMBER 4, 2015 76H 162942-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u>		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
2			NESWNW	15	6N	20W RAVALLI
Peri	od of Diversion	: APRIL 15 TC	OCTOBER 3	31		
Dive	ersion Means:	PUMP				
Sub	division:	HAMILTON H	HEIGHTS TR	ACT/L	.OT: 11	BLOCK: 1
Period of Use: APRIL 15 TO OCTOBER 31						
Place of 1	Use:					
<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	Sec	Twp	<u>Rge</u> <u>County</u>
1	7.50		SENWNW	15	6N	20W RAVALLI
Subdivision: HAMILTON HEIGHTS TRACT/LOT: 110 BLOCK: 001					0 BLOCK: 001	
Total:	7.50					

#### 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.

162942-00 162944-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/27/2013: POINT OF DIVERSION, MAXIMUM ACRES.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 162942-00 Page 3 of 3

### **IMPORTANT NOTICE**

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Water Right Number:	76H 162943-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	CORNELIS QUIST 618 HAMILTON HEIGHTS RD CORVALLIS, MT 59828				
	CAROL L QUIST 618 HAMILTON HEIGHTS RD CORVALLIS, MT 59828				
Priority Date:	JANUARY 20, 1953				
Type of Historical Right	FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER/FLOOD				
Flow Rate:	134.00 GPM				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Areas	2 - MODERATELY HIGH				
Maximum Acres:	4.00				
Source Name:	COW CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySESWNW156N20WRAVALLI				
Period of Diversion	: APRIL 15 TO OCTOBER 31				
<b>Diversion Means:</b>					
Subdivision:	HAMILTON HEIGHTS TRACT/LOT: 12 BLOCK: 1 APRIL 15 TO OCTOBER 31				
Period of Use:	AFRIL 13 TO OUTODER 31				

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	4.00		S2SWNW	15	6N	20W	RAVALLI
Subdivision: H		HAMILTON HE	EIGHTS TR	RACT/	LOT: 12	2 BLO	CK: 1
Total	: 4.00						

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/27/2013: FLOW RATE, MEANS OF DIVERSION, MAXIMUM ACRES.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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Water Right Number:	76H 162944-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	CAROL L QUIST 618 HAMILTON HEIGHTS RD CORVALLIS, MT 59828						
	CORNELIS QUIST 618 HAMILTON HEIGHTS RD CORVALLIS, MT 59828						
Priority Date:	MAY 15, 1894						
Type of Historical Right:	FILED						
Purpose(use):	IRRIGATION						
Irrigation Type:	FLOOD						
Flow Rate:	134.00 GPM						
	PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.						
*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:	4.00						
Source Name: Source Type:	COW CREEK, NORTH FORK SURFACE WATER ALSO KNOWN AS UNNAMED TRIBUTARY OF COW CREEK						
Point of Diversion and N	Ieans of Diversion:						
ID	Govt Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u>						
1 *Period of Diversion: Diversion Means:	NENENW 15 6N 20W RAVALLI : JANUARY 1 TO DECEMBER 31 DAM/PIT						

# THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.

*Re	servoir: ON	ISTREAM					
		<u>Govt Lot</u> N	<u>Qtr Sec</u> IENENW	<u>Sec</u> 15	<u>Twp</u> 6N	<u>Rge</u> 20W	<u>County</u> RAVALLI
	Diversion to F	Reservoir: DIVE	RSION # 1	1			
	Dam Height:	4.0	0 FEET				
	Depth:	5.0	0 FEET				
	Surface Area:	0.2	0 ACRES	5			
	Capacity:	0.4	0 ACRE-	FEET			
		THE CAPACITY, BEEN ESTIMAT			EA, DAN	M HEIG	GHT, AND MAXIMUM DEPTH HAVE
Period of	f Use:	APRIL 15 TO OC	CTOBER 3	81			
Place of	Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
1	4.00		W2NW	15	6N	20W	RAVALLI
Total:	4.00						

#### 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.

162942-00 162944-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/27/2013: MEANS OF DIVERSION, MAXIMUM ACRES, FLOW RATE, VOLUME.

# THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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### **IMPORTANT NOTICE**

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Water Right Number: 76H 163005-00 STATEMENT OF CLAIM								
	Version:	1 ORIGI	NAL RIGH	IT				
		Status:	ACTIVE					
Owners:	223 S 2ND	HAMILTON, CITY OF 223 S 2ND ST HAMILTON, MT 59840 2557						
Priority Date:	JUNE 22,	JUNE 22, 1934						
Type of Historical Right	: FILED							
Purpose(use):	MUNICIPA	L						
Flow Rate:	1.34 CFS							
Volume:	968.00 AC	-FT						
Source Name:	GROUND	WATER						
Source Type:	GRO	UNDWATE	२					
	ALSO KNO	OWN AS WI	ELL # 1					
Point of Diversion and	Means of Div	ersion:						
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr</u> NWNWI	$\frac{\text{Sec}}{\text{NW}} = \frac{\text{Sec}}{31}$	<u>Тwp</u> 6N		<u>County</u> RAVALLI		
<b>Period of Diversion</b>	: JANUARY				2000			
<b>Diversion Means:</b>	WELL							
Reservoir: ON	STREAM	<b>Reservoir</b>	Name: Ml	JNICIP	AL STC	RAGE TANK		
	Govt Lot	<u>Qtr</u> NWNWI		<u>Twp</u> 6N		<u>County</u> RAVALLI		
Diversion to R Capacity:	eservoir:	DIVERSION 1.53 AC	N # 1 RE-FEET					
Period of Use:	JANUARY	1 TO DECE	MBER 31					

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1			W2W2	30	6N	20W	RAVALLI
2			W2W2NW	31	6N	20W	RAVALLI
3			S2SE	24	6N	21W	RAVALLI
4				25	6N	21W	RAVALLI
5			NE	36	6N	21W	RAVALLI

**Remarks:** 

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME RESERVOIR.

107696-00 163005-00 21-00 214440-00 214441-00 57746-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/07/1993: POINT OF DIVERISON, TYPE OF RIGHT, PLACE OF USE, FLOW RATE, VOLUME.

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

THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 214440, 214441.

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL 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. 163005-00, 214440-00, 214441-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 163006-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	BENNIE G ESSARY 333 PINE HOLLOW RD STEVENSVILLE, MT 59870				
	PAMELA J ESSARY 333 PINE HOLLOW RD STEVENSVILLE, MT 59870				
Priority Date:	NOVEMBER 19, 1908				
Type of Historical Right	: USE				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER/FLOOD				
Flow Rate:	50.00 GPM				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Area: 3 - MODERATE					
Maximum Acres:	5.00				
*Source Name:	PINE HOLLOW GULCH				
Source Type:	SURFACE WATER				
Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWNENW28N20WRAVALLI				
Period of Diversion: APRIL 1 TO OCTOBER 15					
Diversion Means: Subdivision:	HEADGATE MELODY MEADOWS				
Period of Use:	APRIL 1 TO OCTOBER 15				

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	5.00		SENWNW	2	8N	20W	RAVALLI
Subdivision:		MELODY MEA	DOWS TR	ACT/I	_OT: 3E	3	
Total	: 5.00						

#### Remarks:

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 08/29/1984.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 10/16/2013.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 163007-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	JASON R HOLLISTER 3393 LUPINE LN STEVENSVILLE, MT 59870			
*Priority Date:	OCTOBER 31, 1929			
Type of Historical Right	: USE			
Purpose(use):	IRRIGATION			
Irrigation Type:	SPRINKLER/FLOOD			
*Flow Rate:	34.00 GPM			
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Area: 3 - MODERATE				
Maximum Acres:	2.00			
*Source Name:	SOUTH SWAMP CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNENESE369N20WRAVALLI			
Period of Diversion	: JANUARY 1 TO DECEMBER 31			
Diversion Means: Ditch Name:	HEADGATE LANCASTER DITCH			
Period of Use:	JANUARY 1 TO DECEMBER 31			

#### \*Place of Use:

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	2.00	:	SWNWNW	2	8N	20W	RAVALLI
	Subdivision:	MELODY MEA	ADOWS TR	ACT/I	LOT: 3A	۱.	
Total	: 2.00						

#### **Remarks:**

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL PERIOD OF USE FOR THE CLAIMED PURPOSE WHICH IS APRIL 15 TO OCTOBER 15.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON SOUTH SWAMP CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 556 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 163008-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	DONNA J DE MYER 527 AMBROSE CREEK RD STEVENSVILLE, MT 59870		
	ROBERT V DE MYER 563 AMBROSE CREEK ROAD STEVENSVILLE, MT 59870		
Priority Date:	MAY 21, 1970		
Type of Historical Right	FILED		
Purpose(use):	IRRIGATION		
Irrigation Type:	SPRINKLER		
*Flow Rate:	68.00 GPM		
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.		
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.		
Climatic Area: 3 - MODERATE			
Maximum Acres:	4.00		
Source Name:	UNNAMED TRIBUTARY OF THREEMILE CREEK		
Source Type:	SURFACE WATER		
Point of Diversion and Means of Diversion:			
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNENW79N19WRAVALLI		
Period of Diversion Diversion Means:	: MAY 1 TO OCTOBER 1 PUMP		
Subdivision:	SUNNYSIDE ORCHARDS NO 3 TRACT/LOT: 32 BLOCK: 11		
Period of Use:	MAY 1 TO OCTOBER 1		

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#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>	
1	4.00		N2NENE	7	9N	19W	RAVALLI	
	Subdivision:	SUNNYSIDE	ORCHARDS	NO 3	TRAC	CT/LOT	: 1,3,4 BLOCK: 1	1
Total	: 4.00							

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/06/2005: SOURCE, POINT OF DIVERSION.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/06/2014: PLACE OF USE, MAXIMUM ACRES.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 163009-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	DUANE H BELL 512 CHURCH ST STEVENSVILLE, MT 59870				
	ROBERT G YEAGER 9889 GRANT CREEK RD MISSOULA, MT 59802				
Priority Date:	MAY 1, 1887				
Type of Historical Right	DECREED				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER				
Flow Rate:	1.02 CFS				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Area: 3 - MODERATE					
Maximum Acres:	39.00				
*Source Name:	BURNT FORK CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESESW48N19WRAVALLI				
	: APRIL 15 TO OCTOBER 15				
Diversion Means: Ditch Name:	HEADGATE CLEVIDENCE-HIGGINS DITCH (HEADGATE 104)				
Period of Use:	APRIL 15 TO OCTOBER 15				

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	39.00		S2SE	5	8N	19W RAVALLI
Total:	39.00					

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/15/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY MICKEY D & JULIE K FAUSKE, 1246 S BURNT FORK RD, STEVENSVILLE, MT 59870-6660.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/15/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CHRISS A MACK, 8962 KEEGAN TRL, MISSOULA, MT 59808-8606.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/15/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JESSE M PRICE, 1292 S BURNT FORK RD, STEVENSVILLE, MT 59870-6660.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/15/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ROBERT C AND ROSALINA C PAGE II, 3113 MARBURGER AVE, BELMONT, CA 94002-1329.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 16340	<b>2-00</b> STATE	MENT	OF CL	AIM	
	Version:	1 ORIGINA	L RIGH	IT		
		Status: A				
Owners:	PO BOX 75 MISSOULA THE CLARI	, MT 59807 75	93 ITION	DOES	NOT O	WN PROPERTY WITHIN THE
Priority Date:	MAY 1, 186					
Type of Historical Right	: USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	OF STOCK D STEM. THE FL	RINKIN .OW R	NG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	STOCK WA	ATERING PUR NIT. ANIMAL U	POSES	S AT TH SHALL I	HE RAT BE BAS	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER
*Source Name:	UNNAMED	TRIBUTARY	OF BIT	TERRO	DOT RI	VER
Source Type:	SURF	ACE WATER				
	ALSO KNO	WN AS SNAK	E CRE	EK		
*Point of Diversion and I	Means of Dive	ersion:				
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u>		Twp		County
		SWNE	-	6N	20W	RAVALLI
Period of Diversion		1 TO DECEME K DIRECT FR	-			
Diversion Means: 2	LIVESTOC	N2SE		6N	20\\/	RAVALLI
Period of Diversion	: JANUARY	_	-	-	2000	
Diversion Means:		K DIRECT FR	-			

DECEMBER 4, 2015 76H 163402-00

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Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1			SWNE	31	6N	20W	RAVALLI
2			N2SE	31	6N	20W	RAVALLI

#### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 166767-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	THOMAS E EVANS 551 GOLF COURSE RD HAMILTON, MT 59840
	SOUTH HAMILTON CONGREGATION OF JEHOVAHS WITNESSES JOHN DUNCAN 435 HAYES CREEK RD HAMILTON, MT 59840 9745
	BELL FAMILY PROPERTIES LLC PO BOX 84 CHATTAROY, WA 99003 0084
	ALL VALLEY FLOORING INC 1285 S 1ST ST HAMILTON, MT 59840 3023
Priority Date:	SEPTEMBER 12, 1958
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	5.00 CFS
*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:	200.00
Source Name: Source Type:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER SURFACE WATER THE SOURCE IS WATER COLLECTED IN A DRAIN DITCH.

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NESENE	<u>Sec</u> 1	<u>Twp</u> 5N	<u>Rge</u> <u>County</u> 21W RAVALLI	I
	od of Diversion ersion Means:	n: MARCH 1 TO HEADGATE	OCTOBER	31			
Period of	f Use:	MARCH 1 TO	OCTOBER 3	81			
Place of	Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge County	
<u>ID</u> 1	<u>Acres</u> 40.00	<u>Govt Lot</u> 1	<u>Qtr Sec</u> NENE	<u>Sec</u> 1	<u>Тwp</u> 5N	Rge County 21W RAVALL	I
							•
1	40.00		NENE	1	5N	21W RAVALL	I
 1 2	40.00 40.00	1	NENE SWNE	1 1	5N 5N	21W RAVALLI 21W RAVALLI	 

#### 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.

166767-00 99677-00 99678-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/11/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STELLA R. LEE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/11/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY GARRY T. SHOOK.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/11/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY PEPPERBOX RANCH.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 68.29 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-116 , DATED 08/02/1979 APPEARS TO INDICATE 44.19 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 166768-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	BELL FAMILY PROPERTIES LLC PO BOX 84 CHATTAROY, WA 99003 0084				
Priority Date:	MAY 1, 1894				
Type of Historical Right	: FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER/FLOOD				
*Flow Rate:	357.00 GPM				
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.				
*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:	21.00				
Source Name:	SLEEPING CHILD CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and N	Point of Diversion and Means of Diversion:				
ID	Govt Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u>				
1 Derich CDierrie	NESWSE 34 5N 20W RAVALLI				
Diversion Means:	: MAY 1 TO OCTOBER 15 HEADGATE				
Diversion Means. Ditch Name:	BOUCHER-SEE DITCH				
Period of Use:	MAY 1 TO OCTOBER 15				

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	10.00		NESE	33	5N	20W	RAVALLI
2	5.00		NENWSE	33	5N	20W	RAVALLI
3	6.00		SWNWSW	34	5N	20W	RAVALLI
Total:	21.00						

#### **Remarks:**

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 02/13/1992.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 07/22/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ISABELLA CSIKSENTMIHALYI.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 16676	<b>9-00</b> STA	EMEN	F OF CL	AIM.	
	Version:	1 ORIGIN	AL RIGI	ΗT		
		Status:	ACTIV	Ξ		
Owners:	PO BOX 84	ILY PROPER 4 OY, WA 9900		.C		
Priority Date:	MAY 1, 189	94				
Type of Historical Right	: USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	OF STOCK	DRINKI FLOW F	NG DIR RATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	STOCK WA	ATERING PU NIT. ANIMAL	RPOSE UNITS	S AT TH SHALL	HE RAT BE BAS	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER
Source Name:	BROOKIN	S GULCH				
Source Type:	SURF	ACE WATE	र			
Point of Diversion and I	Means of Div	ersion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr S</u> NENES		<u>Twp</u> 5N		<u>County</u> RAVALLI
<b>Period of Diversion</b>						
<b>Diversion Means:</b>	LIVESTOC	CK DIRECT F	ROM SO	OURCE		
Period of Use:	JANUARY	1 TO DECEN	IBER 31			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	Qtr S	<u>ec</u> <u>Sec</u>	Twp	Rge	County
1		NENES	E 33	5N	20W	RAVALLI

#### **Remarks:**

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 02/13/1992.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/11/2013 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY BRIAN J ROUSE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 16677	71-00	STAT	EMENT OF CLAIM		
	Version:	1 OF	RIGIN	AL RIGHT		
		Status	:	WITHDRAWN		
Owners:	ERIN O HO 727 THREI STEVENS	EMILE	CREE			
	DUANE E HOUTCHENS 727 THREE MILE CREEK RD STEVENSVILLE, MT 59870					
Priority Date:						
Enforceable Price	ority Date:					
Type of Historical Right	:					
Purpose (use):	STOCK					
Flow Rate:						
Volume:						
Source Name:	GROUNDV	VATER				
Point of Diversion and N	Aeans of Div	ersion:				
Period of Use:						
Place of Use:						

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 12/29/2005. 

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.** 

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 166772-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	3JORK REVOCABLE LIVING TRUST PO BOX1858 HAMILTON, MT 59840 1858				
Priority Date:	MARCH 1, 1879				
Type of Historical Right	DECREED				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER/FLOOD				
Flow Rate:	33.66 GPM				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Area:	3 - MODERATE				
Maximum Acres:	3.00				
Source Name:	SKALKAHO CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt Lot <u>Qtr Sec Sec Twp Rge County</u>				
•	NENENW 7 5N 20W RAVALLI				
Period of Diversion Diversion Means:	: APRIL 15 TO OCTOBER 15 HEADGATE				
Ditch Name:	REPUBLICAN DITCH				

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: APRIL 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	3.00		SWNWSE	6	5N	20W RAVALLI
Total:	3.00					

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/17/2014: POINT OF DIVERSION, FLOW RATE, PRIORITY DATE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS MAY NEED A MULTIPLE USE REMARK. 166772-00, 166773-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 166773-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	BJORK REVOCABLE LIVING TRUST PO BOX1858 HAMILTON, MT 59840 1858
Priority Date:	MARCH 1, 1879
Type of Historical Right	: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNENENW75N20WRAVALLI
Period of Diversion	a: JANUARY 1 TO DECEMBER 31
Diversion Means: Ditch Name:	HEADGATE REPUBLICAN DITCH

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			SWNWSE	6	5N	20W	RAVALLI

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/14/2014: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, PERIOD OF USE, PRIORITY DATE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS MAY NEED A MULTIPLE USE REMARK. 166772-00, 166773-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 166776-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	ROBERT H STREETER 1941 SPRING LAKE DR HENDERSON, NV 89002
	SANDRA S STREETER 1941 SPRING LAKE DR HENDERSON, NV 89002
Priority Date:	NOVEMBER 19, 1908
Type of Historical Right	FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	3 - MODERATE
Maximum Acres:	7.34
*Source Name:	PINE HOLLOW GULCH
Source Type:	SURFACE WATER
*Point of Diversion and N	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNENWNW28N20WRAVALLI
Period of Diversion Diversion Means:	: MARCH 1 TO OCTOBER 1 DIKE
Period of Use:	MARCH 1 TO OCTOBER 1

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	7.34		NENWNW	2	8N	20W RAVALLI
Total:	7.34					

#### 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.

150912-00 166776-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/30/2000: TYPE OF RIGHT, PRIORITY DATE.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

NO QUANTIFIED FLOW RATE HAS BEEN CLAIMED.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SWNENW SEC 2 TWP 8N RGE 20W RAVALLI COUNTY.

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 166781-00 Version: 1 Stat	ORIGINAL		T	AIM		
Owners:	1077 MIDDLE B	DENA GRIFFIN 1077 MIDDLE BURNT FORK RD STEVENSVILLE, MT 59870					
	TROY GRIFFIN 400 CENTRAL STEVENSVILLE		0				
*Priority Date:	DECEMBER 31	, 1900					
Type of Historical Right	: FILED						
Purpose(use):	DOMESTIC						
Flow Rate:	60.00 GPM						
Volume:	1.50 AC-FT						
Households:	1						
*Source Name:	GROUNDWATE	ĒR					
Source Type:	GROUNDWATER						
*Point of Diversion and M	Means of Diversion	<b>1:</b>					
<u>ID</u>	Govt Lot	Qtr Sec	Sec	<u>Twp</u>		County	
1 Period of Diversion			32 ED 31	9N	1977	RAVALLI	
Diversion Means:	WELL						
Period of Use:	JANUARY 1 TO	DECEMBE	ER 31				
Place of Use:							
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>	
1		NWSESE	32	9N	19W	RAVALLI	

**Remarks:** 

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE.

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS MAY NEED A MULTIPLE USE REMARK. 166781-00, 166789-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 166782-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JOHN POWERS PO BOX 55 POLSON, MT 59860
*Priority Date:	DECEMBER 31, 1886
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	NATURAL SUBIRRIGATION
*Flow Rate:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE OF NATURAL SUBIRRIGATION.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	: 3 - MODERATE
Maximum Acres:	35.00
*Source Name:	SUBIRRIGATION, UNNAMED TRIBUTARY OF SOUTH BURNT FORK CREEK
Source Type:	GROUNDWATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyS2SWNWNW58N19WRAVALLI
Period of Diversion	: JUNE 1 TO OCTOBER 1
<b>Diversion Means:</b>	SUBIRRIGATION
2	S2NW 5 8N 19W RAVALLI
Period of Diversion Diversion Means:	: JUNE 1 TO OCTOBER 1
	SUBIRRIGATION JUNE 1 TO OCTOBER 1
Period of Use:	JUNE I IU UGIUDER I

DECEMBER 4, 2015 76H 166782-00 Page 2 of 2

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	5.00		S2SWNWNW	5	8N	19W	RAVALLI
2	30.00		S2NW	5	8N	19W	RAVALLI
Total:	35.00						

#### 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.

166782-00 166785-00 166787-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1985: PLACE OF USE, MAXIMUM ACRES.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 166783-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	DENA GRIFFIN 1077 MIDDLE BURNT FORK RD STEVENSVILLE, MT 59870					
	MAKER, ROBERT & JULIE FAMILY TRUST DATED APRIL 19 PO BOX 222155 ANCHORAGE, AK 99522					
	TROY GRIFFIN 400 CENTRAL STEVENSVILLE, MT 59870					
Priority Date:	MAY 20, 1866					
Type of Historical Right	DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	SPRINKLER/FLOOD					
Flow Rate:	2.00 CFS					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Areas	3 - MODERATE					
Maximum Acres:	80.00					
*Source Name:	BURNT FORK CREEK					
Source Type:	SURFACE WATER					
Point of Diversion and N	Aeans of Diversion:					
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESWSE 33 9N 19W RAVALLI					
-	NESWSE 33 9N 19W RAVALLI : MAY 1 TO OCTOBER 1					
Diversion Means:	HEADGATE					
Ditch Name:	DUNCAN-ORVIS-SCHUCHMAN DITCH (HEADGATE 16)					

DECEMBER 4, 2015 76H 166783-00 Page 2 of 2

Period of Use: MAY 1 TO OCTOBER 1

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	30.00		SESE	32	9N	19W	RAVALLI
2	50.00		W2SW	33	9N	19W	RAVALLI
Total:	80.00						

#### 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.

166783-00 166784-00 166786-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1985: PLACE OF USE, POINT OF DIVERSION.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/01/2009: POINT OF DIVERSION, PLACE OF USE.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 166784-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	MAKER, ROBERT & JULIE FAMILY TRUST DATED APRIL 19 PO BOX 222155 ANCHORAGE, AK 99522					
	TROY GRIFFIN 400 CENTRAL STEVENSVILLE, MT 59870					
	DENA GRIFFIN 1077 MIDDLE BURNT FORK RD STEVENSVILLE, MT 59870					
<b>Priority Date:</b>	JUNE 10, 1873					
Type of Historical Right	: DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	SPRINKLER/FLOOD					
Flow Rate:	431.97 GPM					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area	: 3 - MODERATE					
Maximum Acres:	80.00					
*Source Name:	BURNT FORK CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and I	Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWNESW38N19WRAVALLI					
Period of Diversion Diversion Means:	: MAY 1 TO OCTOBER 1 HEADGATE					

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 2		Govt Lot	<u>Qtr Sec</u> SWSESW	<u>Sec</u> 33	<u>Twp</u> 9N	<u>Rge</u> <u>County</u> 19W RAVALLI
Peri	od of Diversion	: MAY 1 TO O	CTOBER 1			
Dive	ersion Means:	HEADGATE				
Ditc	h Name:	UNNAMED D	ITCH (HEAD	GATE	56)	
Period of	Use:	MAY 1 TO OC	TOBER 1			
Place of	Use:					
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	30.00		SESE	32	9N	19W RAVALLI
2	50.00		W2SW	33	9N	19W RAVALLI
Total:	80.00					

#### 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.

166783-00 166784-00 166786-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1982: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/01/2009: POINT OF DIVERSION, PLACE OF USE.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 166784-00 Page 3 of 3

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	<b>76H 166785-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JOHN POWERS PO BOX 55 POLSON, MT 59860
<b>Priority Date:</b>	MAY 20, 1882
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.25 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	40.00
*Source Name:	BURNT FORK CREEK
Source Type:	SURFACE WATER
*Point of Diversion and I	Means of Diversion:
ID 1 Pariod of Diversion	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNESW 3 8N 19W RAVALLI :: MAY 1 TO OCTOBER 1
Diversion Means:	HEADGATE
2	NWSENW 4 8N 19W RAVALLI
Period of Diversion Diversion Means: Ditch Name:	HEADGATE POPE DITCH (HEADGATE 53)

DECEMBER 4, 2015 76H 166785-00 Page 2 of 2

<u>ID</u> 3		Govt Lot	<u>Qtr Sec</u> NWNENE	<u>Sec</u> 5	<u>Twp</u> 8N	<u>Rge</u> 19W	<u>County</u> RAVALLI			
Peri	od of Diversion	: MAY 1 TO OC	TOBER 1							
<b>Diversion Means:</b>		HEADGATE	HEADGATE							
Ditch Name:		UNNAMED D	UNNAMED DITCH (HEADGATE 54)							
Period of Use:		MAY 1 TO OCTOBER 1								
Place of	Use:									
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>			
1	40.00		W2NW	5	8N	19W	RAVALLI			
Total:	40.00									

#### **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.

166782-00 166785-00 166787-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1985: SOURCE, POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

Water Right Number:	76H 166786-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	DENA GRIFFIN 1077 MIDDLE BURNT FORK RD STEVENSVILLE, MT 59870				
	TROY GRIFFIN 400 CENTRAL STEVENSVILLE, MT 59870				
*Priority Date:	APRIL 23, 1982				
	THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE FILING DATE OF THE STATEMENT OF CLAIM. THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION. THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA.				
Type of Historical Right: USE					
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER				
Flow Rate:	336.60 GPM				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Area: 3 - MODERATE					
Maximum Acres:	80.00				
*Source Name: Source Type:	SPRING, UNNAMED TRIBUTARY OF NORTH SWAMP CREEK GROUNDWATER				

DECEMBER 4, 2015 76H 166786-00 Page 2 of 2

\*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NESWSE	<u>Sec</u> 32	<u>Twp</u> 9N	<u>Rge</u> <u>County</u> 19W RAVALLI
	od of Diversion ersion Means:	: JUNE 1 TO O DITCH	CTOBER 1			
Period of	Use:	JUNE 1 TO O	CTOBER 1			
Place of V	Use:					
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge County
1	40.00		SESE	32	9N	19W RAVALLI
2	40.00		SWSE	32	9N	19W RAVALLI
Total:	80.00					

#### **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.

166783-00 166784-00 166786-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 166787-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	JOHN POWERS PO BOX 55 POLSON, MT 59860						
*Priority Date:	DECEMBER 31, 1886						
Type of Historical Right	: FILED						
Purpose(use):	IRRIGATION						
Irrigation Type:	NATURAL SUBIRRIGATION						
*Flow Rate:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE OF NATURAL SUBIRRIGATION.						
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
Climatic Area	Climatic Area: 3 - MODERATE						
Maximum Acres:	55.00						
Source Name:	SUBIRRIGATION, UNNAMED TRIBUTARY OF ROBERTSON CREEK						
Source Type:	GROUNDWATER						
*Point of Diversion and M	Means of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyN2NW58N19WRAVALLI						
Period of Diversion Diversion Means:	a: JUNE 1 TO OCTOBER 1 SUBIRRIGATION						
Period of Use:	JUNE 1 TO OCTOBER 1						
Place of Use:							
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u> <u>Qtr Sec Sec Twp Rge County</u>						
1 55.00	N2NW 5 8N 19W RAVALLI						
<b>Total:</b> 55.00							

#### 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.

166782-00 166785-00 166787-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	76H 166788-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	TROY GRIFFIN 400 CENTRAL STEVENSVILLE, MT 59870						
	DENA GRIFFIN 1077 MIDDLE BURNT FORK RD STEVENSVILLE, MT 59870						
*Priority Date:	DECEMBER 31, 1886						
Type of Historical Right	FILED						
Purpose(use):	IRRIGATION						
Irrigation Type:	NATURAL SUBIRRIGATION						
*Flow Rate:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE OF NATURAL SUBIRRIGATION.						
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
Climatic Area: 3 - MODERATE							
Maximum Acres:	40.00						
Source Name:	SUBIRRIGATION, UNNAMED TRIBUTARY OF NORTH SWAMP CREEK						
Source Type:	GROUNDWATER						
	ALSO KNOWN AS UNNAMED TRIBUTARY OF SAPIEL CREEK						
*Point of Diversion and Means of Diversion:							
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySWSE329N19WRAVALLI						
Period of Diversion: JUNE 1 TO OCTOBER 1							
<b>Diversion Means:</b>							
Period of Use:	JUNE 1 TO OCTOBER 1						

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	40.00		SWSE	32	9N	19W RAVALLI
Total:	40.00					

#### **Remarks:**

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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Water Right Number:	76H 166789	-00 STATE	MENT	OF CL	AIM		
	Version: 1 ORIGINAL RIGHT						
		Status: A	CTIVE	E			
Owners:	TROY GRIF 400 CENTR STEVENSVI		0				
		FIN E BURNT FOI LLE, MT 5987		)			
*Priority Date:	DECEMBER 31, 1900						
Type of Historical Right	: FILED						
Purpose(use):	STOCK						
Flow Rate:	40.00 GPM						
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.						
*Source Name:	GROUNDW	ATER					
Source Type:	GROU	NDWATER					
*Point of Diversion and I	*Point of Diversion and Means of Diversion:						
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u>	Sec	Twp		County	
7 Period of Diversion Diversion Means:	: JANUARY 1 WELL	NENWSESE TO DECEMB	32 ER 31	9N	1900	RAVALLI	
Period of Use:	JANUARY 1	TO DECEMB	ER 31				
*Place of Use:	*Place of Use:						
ID <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County	
1		NESESE	32	9N	19W	RAVALLI	

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1985: PRIORITY DATE, FLOW RATE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS MAY NEED A MULTIPLE USE REMARK. 166789-00, 166781-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 166790-0	O STATE	MENT	OF CL	AIM	
	Version: 1	ORIGINAL	RIGH	IT		
	Sta	itus: A	CTIVE			
Owners:	JOHN POWERS PO BOX 55 POLSON, MT 59860					
*Priority Date:	DECEMBER 37	1, 1930				
Type of Historical Right	: USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS OF	STOCK DR	RINKIN DW R	NG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	SOUTH BURN	T FORK CR	EEK			
Source Type:	SURFAC	E WATER				
Point of Diversion and M	Aeans of Diversio	on:				
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp		County
1 Period of Diversion		S2NW	5 FR 1	8N	1977	RAVALLI
Diversion Means:	LIVESTOCK D			URCE		
Period of Use:	JANUARY 1 TO	D DECEMB	ER 1			
Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1		S2NW	5	8N	19W	RAVALLI

#### Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 166791-00	) STATE	MENT	OF CL	AIM	
	Version: 1	ORIGINAL	RIGH	IT		
	Sta	tus: A	CTIVE	Ē		
Owners:	1077 MIDDLE	DENA GRIFFIN 1077 MIDDLE BURNT FORK RD STEVENSVILLE, MT 59870				
	TROY GRIFFI 400 CENTRAL STEVENSVILL		0			
*Priority Date:	DECEMBER 31	, 1930				
Type of Historical Right	t: USE					
Purpose(use):	STOCK					
Flow Rate:	1.95 GPM					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
*Source Name:	SPRING, UNNAMED TRIBUTARY OF NORTH SWAMP CREEK					
Source Type:	GROUNDWATER					
Point of Diversion and	Means of Diversio	n:				
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u>	Sec	Twp		<u>County</u> RAVALLI
7 Period of Diversion Diversion Means:		NWSWSE D DECEMB	32 ER 1	9N	1900	RAVALLI
Period of Use:	JANUARY 1 TO	DECEMB	ER 1			
Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County
1		S2SE	32	9N	19W	RAVALLI

#### Remarks:

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

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# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 166792-00	STATE	MENT	OF CL	AIM	
	Version: 1	ORIGINAL	RIGH	Т		
	Stat	us: A	CTIVE			
Owners:	MAKER, ROBE PO BOX 222155 ANCHORAGE, A	5	E FAN	1ILY TR	UST D	ATED APRIL 19
*Priority Date:	DECEMBER 31	, 1930				
Type of Historical Right	: USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS OF	STOCK DR 1. THE FL(	NKIN NW R	IG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
*Source Name:	SPRING CREEK					
Source Type:	SURFACE WATER					
Point of Diversion and I	Means of Diversion	1:				
<u>ID</u> 1	<u>Govt Lot</u> N	<u>Qtr Sec</u> IWNESW	<u>Sec</u> 33	<u>Twp</u> 9N		<u>County</u> RAVALLI
Period of Diversion Diversion Means:	: JANUARY 1 TC HEADGATE	DECEMB	ER 1			
Period of Use:	JANUARY 1 TO	DECEMBE	ER 1			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County
1	Ν	WNESW	33	9N	19W	RAVALLI
2	١	N2NWSW	33	9N	19W	RAVALLI

#### Remarks:

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

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 16679	3-00 STATE	MENT	OF CL	AIM.	
	Version:	1 ORIGINAL	RIGH	IT		
		Status: A	CTIVE	Ξ		
Owners:	JOHN POWERS PO BOX 55 POLSON, MT 59860					
*Priority Date:	DECEMBE	R 31, 1930				
Type of Historical Right	: USE					
Purpose(use):	STOCK					
Flow Rate:	1.95 GPM					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
*Source Name:	SPRING, U	INNAMED TRI	BUTA	RY OF	ROBEF	RTSON CREEK
Source Type:	GROUNDWATER					
*Point of Diversion and M	Means of Dive	ersion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> S2N2NW	<u>Sec</u> 5	<u>Twp</u> 8N	<u>Rge</u> 19W	<u>County</u> RAVALLI
Period of Diversion	: JANUARY	1 TO DECEMB	ER 1			
<b>Diversion Means:</b>	DRAIN DIT	СН				
Period of Use:	JANUARY	1 TO DECEMBI	ER 1			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		S2N2NW	5	8N	19W	RAVALLI

#### Remarks:

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

# THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF **AVAILABILITY."**

Water Right Number:	76H 169242-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	USA (DEPT OF AGRICULTURE FOREST SERVICE) WATER RIGHTS PROGRAM MANGER, NORTHERN REGION 26 FORT MISSOULA RD MISSOULA, MT 59804 7203				
Priority Date:	MAY 1, 1942				
Type of Historical Right	: USE				
Purpose(use):	STOCK				
Flow Rate:	35.00 GPM				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	SPRING, UNNAMED TRIBUTARY OF HAACKE CREEK				
Source Type:	GROUNDWATER				
	ALSO KNOWN AS CLAREMONT SPRING				
Point of Diversion and N	Means of Diversion:				
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESWNE 6 8N 18W RAVALLI				
-	Diversion: APRIL 1 TO AUGUST 31				
<b>Diversion Means:</b>					
Period of Use:	APRIL 1 TO AUGUST 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	NESWNE 6 8N 18W RAVALLI				

**Remarks:** 

76H 169242-00

Page 2 of 2

CLAIM FILED 11/26/1982 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 169243-00 RESERVED CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: DISMISSED
Owners:	USA (DEPT OF AGRICULTURE FOREST SERVICE) WATER RIGHTS PROGRAM MANGER, NORTHERN REGION 26 FORT MISSOULA RD MISSOULA, MT 59804 7203
Priority Date:	
Enforceable Prie	ority Date:
Type of Historical Right	t:
Purpose (use):	IRRIGATION
Flow Rate:	
Volume:	
Source Name:	BURNT FORK CREEK
Point of Diversion and I	Means of Diversion:
Period of Use:	
Place of Use:	

#### **Remarks:**

THIS CLAIM WAS DISMISSED PURSUANT TO THE TERMS OF THE UNITED STATES OF AMERICA. DEPARTMENT OF AGRICULTURE, FOREST SERVICE-MONTANA COMPACT. 

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.** 

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 169828-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
	Late Claim: A						
Owners:	FREDERICA PEIRCE 53 CHERRY LANE BASALT, CO 81621						
	DAVID J RICHARDSON 1904 HICKORY HOLLOW CT CHESAPEAKE, VA 23321						
	MARY E MORRISON 3 SLEEPY OAKS CIRCLE HOUSTON, TX 77024 5427						
	MARCIA M RICHARDSON 1904 HICKORY HOLLOW CT CHESAPEAKE, VA 23320						
	EVERETT L PEIRCE 53 CHERRY LANE BASALT, CO 81621						
	WILLIAM E MORRISON 3 SLEEPY OAKS CIRCLE HOUSTON, TX 77024 5427						
Priority Date:							
	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.						
Type of Historical Right:	:						
Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER						
Flow Rate:							

Water Bight Number 76H 169828-00 STATEMENT OF CLAIM

DECEMBER								Decree Report - F	<sup>5</sup> age 6658
76H 169828	-00								
Page 2 of 3									
*Volume:		THE TOTAL V AMOUNT PUT					T SHALL NOT E CIAL USE.	XCEED THE	
*Source Na	ame:	SPRING, UNN	IAMED TRIE	BUTAI	RY OF	DRY G	ULCH		
Source	e Type:	SURFAC	E WATER						
*Point of <b>D</b>	Diversion and	Means of Diversi	on:						
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> SE	<u>Sec</u> 35	<u>Twp</u> 8N		<u>County</u> RAVALLI		
Perio	od of Diversio	n:							
	rsion Means: livision:	UNDEVELOP HOME ACRES			ACT/LO	DT: 014	4 BLOCK: 022		
Period of	Use:								
Place of U	Jse:								
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>		
Remarks:									
		G ISSUES WER RIGHT CLAIN		FIED	BY TH	E DNF	C DURING IT	S EXAMINATION	
FILING	FEE INSUFF	FICIENT TO CO	/ER LATE C	LAIM.	ΤΟΤΑ	L AMO	UNT DUE \$40.00	Э.	
PROCE	ESSING FEE	INSUFFICIENT	TO COVER	LATE	CLAIM	ΤΟΤΑ	L AMOUNT DUE	\$150.00.	
NO QU	ANTIFIED FL	OW RATE HAS	BEEN CLAI	MED.					
CLAIM	FORM NOT I	NOTARIZED.							
-	ERIOD OF DI D OF USE IS	VERSION MAY I SUE.	REQUIRE M	ODIFI	CATIO	N BASE	ED ON RESOLU	TION OF THE	
NO PER	RIOD OF US	E HAS BEEN CL	AIMED. TH	E USI	JAL AN	D REA	SONABLE PERI	OD OF USE IN THIS	3

NO PERIOD OF USE HAS BEEN CLAIMED. THE USUAL AND REASONABLE PERIOD OF USE IN THE AREA IS APRIL 1 TO OCTOBER 31.

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

NO PRIORITY DATE WAS CLAIMED.

NO TYPE OF HISTORICAL RIGHT WAS CLAIMED. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT WAS NOT SUBMITTED WITH THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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Water Right Number:	76H 169829-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
	Late Claim: A
Owners:	EVERETT L PEIRCE 53 CHERRY LANE BASALT, CO 81621
	FREDERICA PEIRCE 53 CHERRY LANE BASALT, CO 81621
	MARCIA M RICHARDSON 1904 HICKORY HOLLOW CT CHESAPEAKE, VA 23320
	WILLIAM E MORRISON 3 SLEEPY OAKS CIRCLE HOUSTON, TX 77024 5427
	MARY E MORRISON 3 SLEEPY OAKS CIRCLE HOUSTON, TX 77024 5427
	DAVID J RICHARDSON 1904 HICKORY HOLLOW CT CHESAPEAKE, VA 23321
<b>Priority Date:</b>	
	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.
Type of Historical Right	:
Purpose(use):	IRRIGATION
Irrigation Type:	
Flow Rate:	

DECEMBER 4, 2015		Decree Report - Page 6661
76H 169829-00		
Page 2 of 3		
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL N AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.	IOT EXCEED THE
*Source Name:	SPRING, UNNAMED TRIBUTARY OF SPOONER CREE	K
Source Type:	SURFACE WATER	
*Point of Diversion and	Means of Diversion:	
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNE358N20WRAVALLI	
Period of Diversio	n:	
<b>Diversion Means:</b>	UNDEVELOPED SPRING	
Subdivision:	HOME ACRES ORCHARDS TRACT/LOT: 015 BLOCK:	022
Period of Use:		

Place of Use:

ID Acres Govt Lot Qtr Sec Sec Twp Rge County

#### **Remarks:** -----

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.
FILING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$40.00.
PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.
NO QUANTIFIED FLOW RATE HAS BEEN CLAIMED.
CLAIM FORM NOT NOTARIZED.
THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.
NO PERIOD OF USE HAS BEEN CLAIMED. THE USUAL AND REASONABLE PERIOD OF USE IN THIS AREA IS APRIL 1 TO OCTOBER 31.
THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.
NO PRIORITY DATE WAS CLAIMED.
NO TYPE OF HISTORICAL RIGHT WAS CLAIMED. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT WAS NOT SUBMITTED WITH THIS CLAIM.
A DETTED INDEDSTANDING OF VOUD OF A IMED WATED DICHT CAN DE ODTAINED

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DECEMBER 4, 2015 76H 169829-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 169830-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
	Late Claim: A
Owners:	DAVID J RICHARDSON 1904 HICKORY HOLLOW CT CHESAPEAKE, VA 23321
	EVERETT L PEIRCE 53 CHERRY LANE BASALT, CO 81621
	MARCIA M RICHARDSON 1904 HICKORY HOLLOW CT CHESAPEAKE, VA 23320
	WILLIAM E MORRISON 3 SLEEPY OAKS CIRCLE HOUSTON, TX 77024 5427
	MARY E MORRISON 3 SLEEPY OAKS CIRCLE HOUSTON, TX 77024 5427
	FREDERICA PEIRCE 53 CHERRY LANE BASALT, CO 81621
Priority Date:	
	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.
Type of Historical Right	:
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER

Flow Rate:

DECEMBER	4, 2015							Decree Report - Page	96664	
76H 169830	0-00									
Page 2 of 3										
*Volume:		THE TOTAL AMOUNT PU					T SHALL NOT CIAL USE.	EXCEED THE		
*Source Na	ame:	SPRING, UN	SPRING, UNNAMED TRIBUTARY OF DRY GULCH							
Sourc	e Type:	SURFA	CE WATER							
*Point of I	Diversion and	Means of Divers	sion:							
<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> SESWSE	<u>Sec</u> 35	<u>Twp</u> 8N		<u>County</u> RAVALLI			
Perio	od of Diversio	n:								
	rsion Means: livision:		PED SPRING		RACT/LO	OT: 013	3 BLOCK: 022			
Period of	Use:									
Place of U	U <b>se:</b>									
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>			
Remarks:	:									
		G ISSUES WE RIGHT CLAI		FIED	BY TH	E DNF	RC DURING I	<b>FS EXAMINATION</b>		
FILING	FEE INSUFF	FICIENT TO CO	VER LATE C	LAIM.	ΤΟΤΑ	L AMO	UNT DUE \$40.0	00.		
PROCE	ESSING FEE	INSUFFICIENT	TO COVER	LATE	CLAIM	ΤΟΤΑ	L AMOUNT DU	E \$150.00.		
NO QU	IANTIFIED FL	OW RATE HAS	S BEEN CLAI	MED.						
CLAIM	FORM NOT	NOTARIZED.								
-	ERIOD OF DI D OF USE IS	VERSION MAY SUE.	REQUIRE M	ODIFI	CATIO	N BASE	ED ON RESOLI	JTION OF THE		
NO PE	RIOD OF US	E HAS BEEN C	LAIMED. TH	E USI	JAL AN	D REA	SONABLE PER	RIOD OF USE IN THIS		

NO PERIOD OF USE HAS BEEN CLAIMED. THE USUAL AND REASONABLE PERIOD OF USE IN THIS AREA IS APRIL 1 TO OCTOBER 31.

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

NO PRIORITY DATE WAS CLAIMED.

NO TYPE OF HISTORICAL RIGHT WAS CLAIMED. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT WAS NOT SUBMITTED WITH THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 169830-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 169831-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
	Late Claim: A
Owners:	FREDERICA PEIRCE 53 CHERRY LANE BASALT, CO 81621
	WILLIAM E MORRISON 3 SLEEPY OAKS CIRCLE HOUSTON, TX 77024 5427
	MARY E MORRISON 3 SLEEPY OAKS CIRCLE HOUSTON, TX 77024 5427
	DAVID J RICHARDSON 1904 HICKORY HOLLOW CT CHESAPEAKE, VA 23321
	EVERETT L PEIRCE 53 CHERRY LANE BASALT, CO 81621
	MARCIA M RICHARDSON 1904 HICKORY HOLLOW CT CHESAPEAKE, VA 23320
Priority Date:	
	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.
Type of Historical Righ	t:

Purpose(use): STOCK

Decree	Report -	Page	6667
000100	ropon	i ugo	0001

DECEMBER 4, 2015 76H 169831-00						Decree Report - Pag
Page 2 of 3						
*Flow Rate:	CONSISTS OF S	STOCK DR	RINKIN DW R/	IG DIRI ATE IS	ECTLY	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	STOCK WATER ANIMAL UNIT. A	ING PURF	POSES	S AT TH	IE RAT BE BAS	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER
*Source Name:	SPRING, UNNAI	MED TRIE	BUTAF	RY OF I	DRY G	ULCH
Source Type:	SURFACE	WATER				
*Point of Diversion and N	Aleans of Diversion	:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> SW	<u>Sec</u> 35	<u>Twp</u> 8N		<u>County</u> RAVALLI
<b>Period of Diversion</b>	: JANUARY 1 TO	DECEMB	ER 31			
<b>Diversion Means:</b>	UNKNOWN					
Subdivision:	HOME ACRES (	ORCHARE	) NO 1	TRAC	T/LOT	: 012 BLOCK: 022
Period of Use:	JANUARY 1 TO	DECEMB	ER 31			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		SW	35	8N	20W	RAVALLI

# **Remarks:**

Subdivision:

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

HOME ACRES ORCHARD NO 1 TRACT/LOT: 12 BLOCK: 22

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

NO MEANS OF DIVERSION WAS CLAIMED.

FILING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$40.00.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FORM NOT NOTARIZED.

AS OF 11/05/2013, THIS WATER RIGHT APPEARS TO BE OWNED BY KAY CASSENS, 653 CAMP THREE LANE, CORVALLIS, MT 59828.

NO PRIORITY DATE WAS CLAIMED.

NO TYPE OF HISTORICAL RIGHT WAS CLAIMED. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT WAS NOT SUBMITTED WITH THIS CLAIM. 

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR **EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN** ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 169832-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE Late Claim: A					
Owners:	NEUMAN FAMILY TRUST 3866 PEERY LN STEVENSVILLE, MT 59870					
*Priority Date:	JUNE 9, 1922					
Enforceable Prio	rity Date: JULY 1, 1973					
	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.					
Type of Historical Right	DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	SPRINKLER/FLOOD					
Flow Rate:	112.20 GPM					
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Areas	3 - MODERATE					
Maximum Acres:	32.00					
Source Name:	BURNT FORK CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and N	Aeans of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWSESW38N19WRAVALLI					
	: MAY 1 TO SEPTEMBER 1					
<b>Diversion Means:</b>	HEADGATE					
Period of Use:	MAY 1 TO SEPTEMBER 1					

#### Place of Use:

ID	Acres	Govt Lot	Qtr	Sec Sec	Twp	Rge	<b>County</b>
1	32.00		SE	SW 3	8N	19W	RAVALLI
Total:	32.00						

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO. 379-49 , DATED 08/16/1979 APPEARS TO INDICATE 16.58 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 SENENE SEC 10 TWP 08N RGE 19W RAVALLI COUNTY.

NO PRIORITY DATE WAS CLAIMED.

NO TYPE OF HISTORICAL RIGHT WAS CLAIMED. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT WAS NOT SUBMITTED WITH THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 16983	<b>5-00</b> STA	ATEN	/ENT	OF CL	AIM	
	Version:	1 ORIGIN	NAL	RIGH	Т		
		Status:	AC	CTIVE			
Owners:	MARY L W 219 GRANT HAMILTON	SDALE CL		FF RD	)		
Priority Date:	APRIL 28, 7	885					
Type of Historical Right:	DECREED						
Purpose(use):	IRRIGATIO	N					
Irrigation Type:	SPRINKLE	R/FLOOD					
Flow Rate:	4.04 GPM						
*Volume:	THE TOTAL AMOUNT P						T SHALL NOT EXCEED THE CIAL USE.
Climatic Area:	2 - MODER	ATELY HIG	θH				
Maximum Acres:	0.26						
Source Name:	SKALKAHO	O CREEK					
Source Type:	SURF	ACE WATE	R				
*Point of Diversion and M	leans of Dive	rsion:					
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr S</u> SWSES	SW	<u>Sec</u> 15	<u>Twp</u> 5N		<u>County</u> RAVALLI
Period of Diversion Diversion Means: Ditch Name:	: MAY 1 TO HEADGAT HUGHES [	E	1				
2 - SECONDARY Period of Diversion Diversion Means: Ditch Name:	: MAY 1 TO HEADGAT TOWN DIT	E		8	5N	20W	RAVALLI
	WATER FF PLACE OF		ES [	DITCH	I IS CO	NVEYE	ED THROUGH TOWN DITCH TO THE

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> THE POINT OF DIVERSION FOR THIS CLAIM IS SWSESW SEC 15 T5N R20W ; THE POINT WHERE THE HUGHES DITCH ORIGINATES FROM SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE TOWN DITCH AT A POINT SWNWSW SEC 8 T5N R20W WHERE THE HEDGE DITCH AND TOWN DITCH INTERSECT. THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN -RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: MAY 1 TO OCTOBER 1

\*Place of Use:

<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	0.13		NWNWSE	7	5N	20W	RAVALLI
	Subdivision:	GRANTS, H H	ADD (GRA	NTSD	ALE)	TRACT	/LOT: 2 BLOCK: 7
2	0.13		NWNWSE	7	5N	20W	RAVALLI
	Subdivision:	GRANTS, H H	ADD (GRA	NTSD	ALE)	TRACT	/LOT: 1 BLOCK: 7
Total	0.26						

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/08/2013: PURPOSE, PRIORITY DATE.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 0.72 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4918-00, 21151-00, 169835-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 169835-00 Page 3 of 3

#### **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 16983	36-00 STA	TEMENT	OF CL	AIM.		
	Version:	1 ORIGIN	IAL RIGH	IT			
		Status:	ACTIVE	Ξ			
Owners:	DENNIS J SHAW 2895 SUNRISE PROMENADE MISSOULA, MT 59801 8303						
Priority Date:							
Type of Historical Right	DECREED	1					
Purpose(use):	IRRIGATIC	DN					
Irrigation Type:	SPRINKLE	R					
Flow Rate:	10.00 GPN	1					
*Volume:	-	L VOLUME			-	T SHALL NOT EXCEED THE CIAL USE.	
Climatic Area	2 - MODEF	RATELY HIG	н				
Maximum Acres:	0.33						
Source Name:	SKALKAH	O CREEK					
Source Type:	SURF	FACE WATE	R				
*Point of Diversion and M	Aeans of Div	ersion:					
ID	Govt Lot	<u>Qtr S</u>		Twp		County	
1		NENEN		5N	20W	RAVALLI	
Period of Diversion			:R 30				
Diversion Means: Ditch Name:		CAN DITCH					
2 - SECONDARY	REFUDLIC		W 6	5N	2014	RAVALLI	
2 - SECONDAR F Period of Diversion	. MAV 1 TO			NIC	2000	RAVALLI	
Diversion Means:	HEADGAT		IN 30				
Ditch Name:			L				
2	WATER FI		BLICAN E			VEYED THROUGH NICOL-HART	

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: MAY 1 TO SEPTEMBER 30

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	0.33		NESWNW	31	6N	20W RAVALLI
Total:	0.33					

#### Remarks:

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 30.00 GPM PER ACRE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/10/2014 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY FRANCES C. MILANO.

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 169837-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE Late Claim: A					
Owners:	LAURA A HARRIS 410 N GRANT LN HAMILTON, MT 59840					
Priority Date:	MAY 1, 1875 CLAIM FILED LATE 05/06/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.					
Type of Historical Right	DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	11.22 GPM					
*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:	1.00					
Source Name:	SKALKAHO CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and N	Aeans of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI					
Period of Diversion Diversion Means: Ditch Name:	: MAY 15 TO SEPTEMBER 15 HEADGATE HEDGE DITCH					

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\*Point of Diversion and Means of Diversion:

T OILL OF DIVERSION	and means of Divers	1011.				
ID	Govt Lot	<u>Qtr Sec</u>		Twp		County
2 - SECONDAR	Y	NWNWNE	8	5N	20W	RAVALLI
Period of Dive	ersion: MAY 15 TO S	SEPTEMBER	15			
<b>Diversion Me</b>	ans: HEADGATE					
<b>Ditch Name:</b>	REESER DIT	CH				
	WATER FRO PLACE OF U		ТСНІ	IS CON	IVEYED	D THROUGH REESER DITCH TO THE
	POINT WHEF IS PART OF EXCHANGE. WATER FRO LINE (SWSW R20W). THE PETITION FO DISTRICT IN	RE THE HEDO THE SKALKA WATER FRC M SKALKAHO NE SEC 30 T EXCHANGEL DR ORGANIZ RAVALLI CO DURTH JUDIO	GE DI HO C DM TH D CRI 5N R 5N R 5N R 0 WA ATION UNT CIAL I	TCH IN REEK / IE BITT EEK TH 19W) A TER RE N AND I (, TO B DISTRI	ITERSE AND BI ERRO IAT IS AND W ELATIO ESTAB E KNO CT IN /	A IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE ILISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Use:	MAY 15 TO S	EPTEMBER <sup>·</sup>	15			
Place of Use:						
<u>ID</u> <u>Acr</u>	es <u>Govt Lot</u>	<b>Qtr Sec</b>	<u>Sec</u>	Twp	Rge	<u>County</u>
1 1.(	00	NWNWNW	5	5N	20W	RAVALLI
Subdivision	: GRANTSDAL	E ACRES SU	JBD	TRACT	7/LOT: (	004 BLOCK: 003
Total: 1.0	00					

#### Remarks:

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 07/01/1997.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION **OF THIS WATER RIGHT CLAIM.** 

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 40 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 15484-00, 15485-00, 119900-00, 119922-00, 169837-00

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR **EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN** ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 171838-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

MISSOULA FEDERAL CREDIT UNION % JONI WALKER 3600 BROOKS ST MISSOULA, MT 59801

> CHRISTA J WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870

> BRADLEY R WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870

> LLP LAND INC 190 PINE HOLLOW RD STEVENSVILLE, MT 59870

Priority Date: JULY 1, 1875

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 12/02/1982 . 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.

**Type of Historical Right: DECREED** 

Purpose(use): STOCK

\*Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

	MBER 4, 2015						Decree Report - Page 6681		
	71838-00								
Page	2 of 3								
*Vol	ume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.							
Sou	irce Name:	SOUTH SWA	MP CREEK						
	Source Type:	SURFAC	CE WATER						
*Point of Diversion and Means of Diversion:									
<u>1</u>	<u>D</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>		
1			SWNENE	35	9N	20W	RAVALLI		
Period of Diversion: JANUARY 1 TO DECEMBER 31									
	<b>Diversion Means:</b>	HEADGATE							
	Ditch Name:	BROWN-LEV	VIS DITCH						
2			NESENE	35	9N	20W	RAVALLI		
	Period of Diversio	n: JANUARY 1	TO DECEMB	ER 31					
	<b>Diversion Means:</b>	HEADGATE							
3			NESWNW	36	9N	20W	RAVALLI		
Period of Diversion: JANUARY 1 TO DECEMBER 31									
Diversion Means: HEADGATE									
	Ditch Name: BROWN-TANGMO DITCH (HEADGATE 118)								
Period of Use: JANUARY 1 TO DECEMBER 31									
*Place of Use:									
II		Govt Lot	Qtr Sec	Sec	Twp	Rge	County		
1			S2NENE	35	 9N		RAVALLI		
2			N2SENE	35	9N		RAVALLI		
Z			INZOEINE	30	SIN	2000			

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

171838-00 171841-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 12/02/1982 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 171839-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	BRADLEY R WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870
	LLP LAND INC 190 PINE HOLLOW RD STEVENSVILLE, MT 59870
	REBECCA S THOFT 1520 S BURNT FORK RD STEVENSVILLE, MT 59870
	MISSOULA FEDERAL CREDIT UNION % JONI WALKER 3600 BROOKS ST MISSOULA, MT 59801
	CHRISTA J WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870
Priority Date:	MAY 15, 1881
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	392.70 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Areas	3 - MODERATE
Maximum Acres:	92.00
Source Name:	SOUTH SWAMP CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 171839-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

II	<u>)</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>			
1			SWNENE	35	9N	20W	RAVALLI			
	Period of Diversion	: APRIL 1 TO S	SEPTEMBER	20						
	Diversion Means: HEADGATE									
	Ditch Name:	ne: BROWN-LEWIS DITCH								
2			NESENE	35	9N	20W	RAVALLI			
	Period of Diversion	: APRIL 1 TO S	SEPTEMBER	20						
	<b>Diversion Means:</b>	HEADGATE								
3			NESWNW	36	9N	20W	RAVALLI			
	Period of Diversion	: APRIL 1 TO S	SEPTEMBER	20						
	<b>Diversion Means:</b>	HEADGATE								
	Ditch Name:	BROWN-TANGMO DITCH (HEADGATE 118)								
Peri	iod of Use:	APRIL 1 TO SEPTEMBER 20								
Plac	ce of Use:									
II	<u>Acres</u>	Govt Lot	Qtr Sec	Sec	Twp	Rge	County			
1	12.00		S2NENE	35	9N	20W	RAVALLI			
2	80.00		S2NE	35	9N	20W	RAVALLI			
То	tal: 92.00									

#### 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.

151023-00 171839-00 171840-00 171841-00 171842-00 171843-00 171844-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 171844-00.

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/31/2008 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES AND NANCY JOHNSTON.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 1718	40-00	STATEMENT OF CLAIM			
	Version:	1 O	RIGINAL RIGHT			

Status: ACTIVE

Late Claim: B

**Owners:** 

LLP LAND INC 190 PINE HOLLOW RD STEVENSVILLE, MT 59870

BRADLEY R WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870

CHRISTA J WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870

MISSOULA FEDERAL CREDIT UNION % JONI WALKER 3600 BROOKS ST MISSOULA, MT 59801

REBECCA S THOFT 1520 S BURNT FORK RD STEVENSVILLE, MT 59870

Priority Date: JULY 15, 1882

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 12/02/1982 . 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.

**Type of Historical Right: DECREED** 

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 392.70 GPM

76H 171840-00	76H 171840-00						
Page 2 of 3	Page 2 of 3						
*Volume:	THE TOTAL \ AMOUNT PU			· · · · · — ·		T SHALL NOT EXCEED THE CIAL USE.	
Climatic Area	: 3 - MODERAT	ΓE					
Maximum Acres:	Maximum Acres: 92.00						
Source Name:	SOUTH SWA	MP CREEK					
Source Type:	SURFAC	CE WATER					
*Point of Diversion and	Means of Divers	ion:					
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> SWNENE	<u>Sec</u> 35	<u>Twp</u> 9N		<u>County</u> RAVALLI	
Period of Diversion	n: APRIL 1 TO S	SEPTEMBER	20				
<b>Diversion Means:</b>	HEADGATE						
Ditch Name:	BROWN-LEV	VIS DITCH					
2		NESENE	35	9N	20W	RAVALLI	
Period of Diversion		SEPTEMBER	20				
<b>Diversion Means:</b>	HEADGATE						
3		NESWNW	36	9N	20W	RAVALLI	
Period of Diversion		SEPTEMBER	20				
Diversion Means:					= 110)		
Ditch Name:	BROWN-TAN		•	DGAT	= 110)		
Period of Use:	APRIL 1 TO S	SEPTEMBER	20				
Place of Use:							
<u>ID</u> <u>Acres</u>	Govt Lot	Qtr Sec	Sec	Twp	Rge	<u>County</u>	
1 12.00		S2NENE	35	9N	20W	RAVALLI	
2 80.00		S2NE	35	9N	20W	RAVALLI	
<b>Total:</b> 92.00							

#### **Remarks:**

**DECEMBER 4, 2015** 

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.

151023-00 171839-00 171840-00 171841-00 171842-00 171843-00 171844-00

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

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 60 MINER'S INCHES DECREED IN CASE NO. 556 , RAVALLI COUNTY. 5315-00, 5316-00, 23031-00, 171840-00.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 12/02/1982 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA. ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/31/2008 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES AND NANCY JOHNSTON.

A REQUEST TO WITHDRAW SUBMITTED 01/08/2009 WAS NOT SIGNED BY ALL OWNERS OF RECORD. DNRC REQUESTED THE OTHER OWNERS SUBMIT A SIGNED AND NOTARIZED WITHDRAWAL FORM. AS OF 1/31/2014, A WITHDRAWAL FORM HAS NOT BEEN SUBMITTED BY ALL OWNERS OF RECORD, THEREFORE, THIS REQUEST TO WITHDRAW HAS NOT BEEN PROCESSED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 171841-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	REBECCA S THOFT 1520 S BURNT FORK RD STEVENSVILLE, MT 59870
	MISSOULA FEDERAL CREDIT UNION % JONI WALKER 3600 BROOKS ST MISSOULA, MT 59801
	BRADLEY R WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870
	CHRISTA J WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870
	LLP LAND INC 190 PINE HOLLOW RD STEVENSVILLE, MT 59870
<b>Priority Date:</b>	JULY 1, 1875
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	93.50 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	92.00
Source Name:	SOUTH SWAMP CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 171841-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID	2	Govt Lot	<u>Qtr Sec</u>	Sec			County		
1			SWNENE 35 9N 20V						
	Period of Diversion	: APRIL 1 TO S	SEPTEMBER	20					
	Diversion Means: HEADGATE								
	Ditch Name:	BROWN-LEV	VIS DITCH						
2			NESENE	35	9N	20W	RAVALLI		
	<b>Period of Diversion</b>	: APRIL 1 TO S	SEPTEMBER	20					
	<b>Diversion Means:</b>	HEADGATE							
3			NESWNW	36	9N	20W	RAVALLI		
	<b>Period of Diversion</b>	: APRIL 1 TO S	SEPTEMBER	20					
	<b>Diversion Means:</b>	HEADGATE							
	Ditch Name:	BROWN-TANGMO DITCH (HEADGATE 118)							
Peri	od of Use:	APRIL 1 TO SEPTEMBER 20							
Plac	e of Use:								
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>		
1	12.00		S2NENE	35	9N	20W	RAVALLI		
2	80.00		S2NE	35	9N	20W	RAVALLI		
Tot	al: 92.00								

#### **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.

151023-00 171839-00 171840-00 171841-00 171842-00 171843-00 171844-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

171838-00 171841-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 171844-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/31/2008 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES AND NANCY JOHNSON. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 171842-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	BRADLEY R WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870
	CHRISTA J WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870
	REBECCA S THOFT 1520 S BURNT FORK RD STEVENSVILLE, MT 59870
	MISSOULA FEDERAL CREDIT UNION % JONI WALKER 3600 BROOKS ST MISSOULA, MT 59801
	LLP LAND INC 190 PINE HOLLOW RD STEVENSVILLE, MT 59870
Priority Date:	JUNE 1, 1883
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	420.75 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	92.00
Source Name:	SOUTH SWAMP CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 171842-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

II	<u>)</u>	Govt Lot	<u>Qtr Sec</u> SWNENE	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>		
1			RAVALLI						
	<b>Period of Diversion</b>	: APRIL 1 TO S	SEPTEMBER	20					
	Diversion Means: HEADGATE								
	Ditch Name:	BROWN-LEV	VIS DITCH						
2			NESENE	35	9N	20W	RAVALLI		
	Period of Diversion	: APRIL 1 TO S	SEPTEMBER	20					
	<b>Diversion Means:</b>	HEADGATE							
3			NESWNW	36	9N	20W	RAVALLI		
	Period of Diversion	: APRIL 1 TO S	SEPTEMBER	20					
	<b>Diversion Means:</b>	HEADGATE							
	Ditch Name:	BROWN-TANGMO DITCH (HEADGATE 118)							
Peri	iod of Use:	APRIL 1 TO SEPTEMBER 20							
Plac	ce of Use:								
II	<u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>		
1	12.00		S2NENE	35	9N	20W	RAVALLI		
2	80.00		S2NE	35	9N	20W	RAVALLI		
To	tal: 92.00								

#### 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.

151023-00 171839-00 171840-00 171841-00 171842-00 171843-00 171844-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 171844-00.

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/31/2008 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES AND NANCY JOHNSTON.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 171843-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	LLP LAND INC 190 PINE HOLLOW RD STEVENSVILLE, MT 59870						
	CHRISTA J WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870						
	MISSOULA FEDERAL CREDIT UNION % JONI WALKER 3600 BROOKS ST MISSOULA, MT 59801						
	BRADLEY R WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870						
	REBECCA S THOFT 1520 S BURNT FORK RD STEVENSVILLE, MT 59870						
<b>Priority Date:</b>	MAY 20, 1882						
Type of Historical Right	DECREED						
Purpose(use):	IRRIGATION						
Irrigation Type:	FLOOD						
Flow Rate:	1.00 CFS						
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
Climatic Areas	3 - MODERATE						
Maximum Acres:	92.00						
Source Name:	SOUTH SWAMP CREEK						
Source Type:	SURFACE WATER						

DECEMBER 4, 2015 76H 171843-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> 1	2	<u>Govt Lot</u>	<u>Qtr Sec</u> SWNENE	<u>Sec</u> 35		<u>Rge</u> 20W		
	Period of Diversion:	APRIL 1 TO S	EPTEMBER	20				
	Diversion Means: HEADGATE							
	Ditch Name:	<b>BROWN-LEW</b>	IS DITCH					
2			NESENE	35	9N	20W	RAVALLI	
	Period of Diversion:	APRIL 1 TO S	EPTEMBER	20				
	<b>Diversion Means:</b>	HEADGATE						
3		NESWNW 36 9I			9N	20W	RAVALLI	
	Period of Diversion:	APRIL 1 TO S	EPTEMBER	20				
	<b>Diversion Means:</b>	HEADGATE						
	Ditch Name:	BROWN-TANGMO DITCH (HEADGATE 118)						
Peri	od of Use:	APRIL 1 TO SEPTEMBER 20						
Plac	e of Use:							
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>	
1	12.00		S2NENE	35	9N	20W	RAVALLI	
2	80.00		S2NE	35	9N	20W	RAVALLI	
Tot	al: 92.00							

#### 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.

151023-00 171839-00 171840-00 171841-00 171842-00 171843-00 171844-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 171844-00.

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/31/2008 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES AND NANCY JOHNSTON.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:

#### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

76H 171844-00 STATEMENT OF CLAIM

	Version: Late Claim	1 ORIGIN Status: : B					
Owners:	MISSOULA FEDERAL CREDIT UNIO % JONI WALKER 3600 BROOKS ST MISSOULA, MT 59801						
	BRADLEY R WORTMAN 3539 LOGAN LN STEVENSVILLE, MT 59870						
	LLP LAND INC 190 PINE HOLLOW RD STEVENSVILLE, MT 59870						
	3539 LOG/	J WORTMAN AN LN /ILLE, MT 59					
	REBECCA S THOFT 1520 S BURNT FORK RD STEVENSVILLE, MT 59870						
*Priority Date:	JULY 27, 1	886					

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 12/02/1982 . 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.

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

\*Flow Rate: 3.48 CFS

76H 171844-0	0							
	0							
Page 2 of 3								
*Volume:		THE FLOW R	ATE MAY BE	CON THIS	ITESTE WATEF	D BY F	I REDUCED TO 17 GPM PER ACRE. PROPER OBJECTION. T SHALL NOT EXCEED THE CIAL USE.	
С	limatic Area	Area: 3 - MODERATE						
Maximum A	Acres:	92.00						
Source Nan		SOUTH SWA						
			E WATER					
Source 7	i ype:	SOIN AC						
*Point of Div	version and <b>I</b>	Means of Diversi	on:					
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u>		<u>Twp</u>		County	
-	a		SWNENE	35	9N	2000	RAVALLI	
		APRIL 1 TO S	SEPTEMBER	20				
Diversi Ditch N	ion Means:	HEADGATE BROWN-LEWIS DITCH						
2	vame:	BROWN-LEW	NESENE	35	9N	20\\/	RAVALLI	
	of Diversion	APRIL 1 TO S				2011		
	ion Means:	HEADGATE						
3			NESWNW	36	9N	20W	RAVALLI	
Period	of Diversion	: APRIL 1 TO SEPTEMBER 20						
Diversi	ion Means:	HEADGATE						
Ditch N	Name:	BROWN-TAN	IGMO DITCH	(HEA	DGAT	E 118)		
Period of U	se:	APRIL 1 TO S	EPTEMBER	20				
Place of Use	2:							
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>	
1	12.00		S2NENE	35	9N	20W	RAVALLI	
2	80.00		S2NE	35	9N	20W	RAVALLI	
Total:	92.00							

#### **Remarks:**

**DECEMBER 4, 2015** 

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.

151023-00 171839-00 171840-00 171841-00 171842-00 171843-00 171844-00

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

THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 171839-00, 171841-00, 171842-00, 171843-00.

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

DECEMBER 4, 2015 76H 171844-00

Page 3 of 3

CLAIM FILED LATE 12/02/1982 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/31/2008, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES AND NANCY JOHNSTON.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON SOUTH SWAMP CREEK WITH A PRIORITY DATE PREDATING CASE NO. 556 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

#### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Rig	ht Number:	76H 17184	15-00 STA		OF CL	.AIM	
		Version:	1 ORIGIN	AL RIGH	ΗT		
			Status:	ACTIVE	Ξ		
Owners:		KARI J SC PO BOX 28 LAMOILLE					
Priority D	ate:	JUNE 1, 18	366				
Type of Hi	storical Right	DECREED					
Purpose(u	se):	IRRIGATIC	N				
Irr	igation Type:	FLOOD					
Flow Rate	:	29.17 GPN	1				
*Volume:		THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
(	Climatic Area: 3 - MODERATE						
Maximum	Acres:	2.20					
*Source Na	me:	NORTH S	WAMP CREE	K			
Source	Type:	SURF	FACE WATER	R			
		ALSO KNO	WN AS SAP	IEL CRE	EK		
*Point of D	iversion and N	Aeans of Div	ersion:				
<u>ID</u> 1		Govt Lot	<u>Qtr So</u> SESEN		<u>Twp</u> 9N		<u>County</u> RAVALLI
Perio	d of Diversion	: APRIL 15	TO OCTOBE	R 15			
	sion Means:	HEADGAT	_	//		、	
	Name:	HOWARD-KEENAN DITCH (HEADGATE 77)					
Period of V	Use:	APRIL 15	FO OCTOBE	R 15			
Place of U	se:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr So</u>	<u>ec</u> <u>Sec</u>	Twp	Rge	<u>County</u>
1	2.20		SESEN	V 26	9N	20W	RAVALLI

Place of Use:

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
Total:	2.20						

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

162938-00 171845-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right	t Number:	76H 17787	2-00 STATE	MENT	OF CL	AIM		
		Version:	1 ORIGINAL	. RIGH	IT			
			Status: A	CTIVE				
Owners:		PO BOX 54	LDLIFE REFU 8 6, MT 59828	GE				
Priority Dat	te:	APRIL 1, 18	90					
Type of Hist	torical Right	: DECREED						
Purpose(use	e):	IRRIGATIO	N					
Irrig	gation Type:	SPRINKLE	R/FLOOD					
Flow Rate:		3.00 CFS						
*Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED TH AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.								
C	limatic Area	2 - MODER	ATELY HIGH					
Maximum A	Acres:	65.00						
Source Nan	ne:	BITTERROOT RIVER						
Source 7	Гуре:	SURFACE WATER						
Point of Div	version and N	Aeans of Dive	rsion:					
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 20	<u>Тwp</u> 7N		<u>County</u> RAVALLI	
			) SEPTEMBEF	R 30				
	ion Means:	HEADGAT						
Period of Us	se:	APRIL 1 TC	SEPTEMBER	30				
Place of Use	2:							
ID	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>	
1	30.00		SWSE	17	7N		RAVALLI	
2	2.00		SESESW	17	7N		RAVALLI	
3	28.00		NWNE	20	7N	20W	RAVALLI	

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>	
4	5.00		SENENW	20	7N	20W RAVALLI	
Total:	65.00						

#### 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.

177872-00 177873-00 99926-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/07/1992: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/25/2015: PLACE OF USE, TOTAL ACRES.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE CLAIMED SOURCE MAY BE QUESTIONABLE. BASED ON AVAILABLE DATA, THE SOURCE MAY BE SURFACE WATER FROM WILLOW CREEK.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

#### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Rig	ht Number:	76H 1778	73-00	STATE	MENT	OF CL	AIM	
		Version:	1 C	RIGINAL	RIGH	IT		
			Statu	s: A	CTIVE			
Owners:		TELLER W PO BOX 5 CORVALL	48		GE			
Priority D	ate:	APRIL 1, 1	890					
Type of H	istorical Right	: USE						
Purpose(u	ıse):	IRRIGATIO	ON					
Irr	rigation Type:	SPRINKLE	R					
*Flow Rate	:	1.52 CFS						
		THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.						
*Volume:		THE TOTA AMOUNT	-		-		-	T SHALL NOT EXCEED THE CIAL USE.
	Climatic Area	2 - MODEF	RATEL	Y HIGH				
Maximum	n Acres:	40.00						
*Source Na	ame:	GROUND	NATE	२				
Source	e Type:	GRO	UNDW	ATER				
*Point of D	Diversion and N	leans of Div	ersion:					
<u>ID</u> 1		<u>Govt Lot</u>	-	<u>Qtr Sec</u>	Sec	<u>Twp</u>		County
•	d of Diversion		-		17	7N	2000	RAVALLI
	rsion Means:	WELL	0.001	IODER 3	I			
Period of	Use:	APRIL 1 T	о ост	OBER 31				
*Place of U	Jse:							
<u>ID</u>	Acres	Govt Lot		<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1	40.00			SWSE	17	7N	20W	RAVALLI

\*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
Total:	40.00					

#### 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.

177872-00 177873-00 99926-00

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 03/09/2015.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

#### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 179904-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE							
Owners:	MONTANA RAIL LINK INC 101 INTERNATIONAL WAY PO BOX 16630 MISSOULA, MT 59808							
*Priority Date:	NOVEMBER 4, 1943							
Type of Historical Right	:: FILED							
Purpose(use): Flow Rate:	STOCK 10.00 GPM							
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.							
*Source Name:	SPRING, UNNAMED TRIBUTARY OF JACK CREEK							
Source Type:	GROUNDWATER							
*Point of Diversion and I	Means of Diversion:							
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESESW54N20WRAVALLI							
Period of Diversion Diversion Means:	a: JANUARY 1 TO DECEMBER 31 SPRING BOX							
Period of Use:	JANUARY 1 TO DECEMBER 31							
*Place of Use:								
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u> <u>Qtr Sec Sec Twp Rge</u> <u>County</u>							
1	NESESW 5 4N 20W RAVALLI							
<b></b>								

**Remarks:** 

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 08/19/2013 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY DANIEL AND SALLY SHOEMAKER.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

#### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF **AVAILABILITY."**

Water Right Number:	76H 184100-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486
Priority Date:	DECEMBER 10, 1963
Type of Historical Right	: USE
Purpose(use):	FISH AND WILDLIFE
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	3,629.00 AC-FT
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.
Maximum Acres:	2,188.00
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF SPRING CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS SOUTH DRAIN
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNENW 14 9N 20W RAVALLI
•	: JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

Reservoir:	ONSTREAM	Reservoir Name: POND 3	
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>Coun</u> SESW 11 9N 20W RAV	
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 9.50 FEET 9.50 FEET 20.56 ACRES 91.62 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 4	
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>Coun</u> E2SW 11 9N 20W RAV	
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 4.80 FEET 4.80 FEET 12.51 ACRES 18.67 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 5	
	Govt Lot	Qtr SecSecTwpRgeCountW2119N20WRAVA	i <u>ty</u> ALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 7.20 FEET 7.20 FEET 51.46 ACRES 152.02 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 6	
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>Coun</u> N2N2 11 9N 20W RAV/	
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 4.30 FEET 4.30 FEET 11.58 ACRES 17.43 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 9	
	Govt Lot	Qtr SecSecTwpRgeCountSE39N20WRAVA	
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 5.90 FEET 5.90 FEET 2.21 ACRES 3.77 ACRE-FEET	

Reservoir:	ONSTREAM	Reserv	oir Nam	e: PO	ND 2		
	Govt Lot	9	<u>Qtr Sec</u> NW	<u>Sec</u> 14	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	7.60 7.60 31.75	SION # 1 FEET FEET ACRES ACRE-	6			
<b>Reservoir:</b>	ONSTREAM	Reserv	oir Nam	e: PO	ND 10		
	<u>Govt Lot</u>		<u>Qtr Sec</u>	<u>Sec</u> 2	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	12.50 12.50 170.23	SION # 1 FEET FEET ACRES ACRE-	6			
<b>Reservoir:</b>	ONSTREAM	Reserv	oir Nam	e: PO	ND 11		
	Govt Lot		<u>Qtr Sec</u> SW	<u>Sec</u> 36	<u>Тwp</u> 10N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	8.30 8.30 24.69	SION # 1 FEET FEET ACRES ACRE-	6			
Reservoir:	ONSTREAM	Reserv	oir Nam	e: PO	ND 12		
	Govt Lot	9	<u>Qtr Sec</u> W2	<u>Sec</u> 36	<u>Twp</u> 10N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	6.40 6.40 52.01	SION # 1 FEET FEET ACRES ACRE-	6			
<b>Reservoir:</b>	ONSTREAM	Reserv	oir Nam	e: PO	ND A		
	<u>Govt Lot</u>		<u>Qtr Sec</u> NE	<u>Sec</u> 10	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	2.80 2.80 11.40	SION # 1 FEET FEET ACRES ACRE-	6			

<b>Reservoir:</b>	ONSTREAM	Reservoir	Name:	POND 8			
	Govt Lot	<u>t</u> <u>Qt</u>	<u>r Sec</u> <u>Se</u> S2	<u>c Twp</u> 2 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI	
Diversion	n to Reservoir:	DIVERSIC	ON # 1				
Dam Hei	ght:	10.20 F	EET				
Depth:		10.20 F	EET				
Surface A	Area:	69.21 A	CRES				
Capacity	:	191.13 A	CRE-FEE	ΞT			
		RESERVO OIR DATA.	IR WORI	SHEET	IN THE	CLAIM FILE FOR ADDITIONA	۱L
ad of User	IANIJARY			31			

**Period of Use:** 

JANUARY 1 TO DECEMBER 31

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1				2	9N	20W	RAVALLI
2			E2	3	9N	20W	RAVALLI
3			SW	3	9N	20W	RAVALLI
4			E2	10	9N	20W	RAVALLI
5			N2	11	9N	20W	RAVALLI
6			S2	11	9N	20W	RAVALLI
7			NW	14	9N	20W	RAVALLI
8			NENE	15	9N	20W	RAVALLI
9			S2	35	10N	20W	RAVALLI
10			W2NE	36	10N	20W	RAVALLI
11			W2	36	10N	20W	RAVALLI

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/16/2009: PLACE OF USE, MAXIMUM ACRES, FLOW RATE, VOLUME.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/12/2009: PLACE OF USE, MAXIMUN ACRES. FLOW RATE. VOLUME. 

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION **OF THIS WATER RIGHT CLAIM.**

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 41I, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM. .....

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 188230-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486				
<b>Priority Date:</b>	DECEMBER 10, 1963				
Type of Historical Right	Type of Historical Right: USE				
Purpose(use):	FISH AND WILDLIFE				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.				
Volume:	3,078.00 AC-FT				
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.				
Maximum Acres:	1,866.00				
Source Name:	SWAMP CREEK				
Source Type:	SURFACE WATER				
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.				
Point of Diversion and Means of Diversion:					
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESWNW 11 9N 20W RAVALLI				
•	I JANUARY 1 TO DECEMBER 31				
Diversion Means:	DAM				
2	NENWNW 14 9N 20W RAVALLI				
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: DAM					
Diversion micalis.					

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R	eservoir:	ONSTREAM	Reservoir Name: POND 5				
		<u>Govt Lot</u>	<u>Qtr Sec</u> W2	<u>Sec</u> 11	<u>Twp</u> 9N		<u>County</u> RAVALLI
	Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 7.20 FEET 7.20 FEET 51.46 ACRES 152.02 ACRE-	6			
R	leservoir:	ONSTREAM	Reservoir Name	e: PO	ND A		
		<u>Govt Lot</u>	<u>Qtr Sec</u> NE	<u>Sec</u> 10	<u>Twp</u> 9N		<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity	Area:	DIVERSION # 1 2.80 FEET 2.80 FEET 11.40 ACRES 12.80 ACRE-	8			
R	eservoir:	ONSTREAM	Reservoir Name	e: BA	RN SL	OUGH	
		Govt Lot	<u>Qtr Sec</u> E2	<u>Sec</u> 10	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity	Area:	DIVERSION # 2 5.60 FEET 5.60 FEET 15.40 ACRES 39.69 ACRE-	8			
R	eservoir:	ONSTREAM	Reservoir Name	e: PO	ND 2A		
	Diversion Dam Hei Depth: Surface A Capacity	Area: : SEE THE RESERVC	NR DATA.	S FEET ORKS	<u>Тwp</u> 9N НЕЕТ I	20W	County RAVALLI CLAIM FILE FOR ADDITIONAL
Period	Period of Use: JANUARY 1 TO DECEMBER 31						
*Place of				~	_	_	
<u>ID</u>	Acr	es <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>		<u>County</u>
1			00	2	9N	20W	RAVALLI
2			S2	3	9N		RAVALLI
3 4			E2	10 11	9N 9N		RAVALLI RAVALLI
4			N1) A /	11	SIN	2000	

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20W RAVALLI

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
7			S2	35	10N	20W	RAVALLI
8			W2	35	10N	20W	RAVALLI

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/16/2009: POINT OF DIVERSION, FLOW RATE, VOLUME, PLACE OF USE, MAXIMUM ACRES.

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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#### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 188231-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486				
<b>Priority Date:</b>	AUGUST 15, 1941				
Type of Historical Right: FILED					
Purpose(use):	FISH AND WILDLIFE				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.				
Volume:	535.50 AC-FT				
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.				
Maximum Acres:	1,866.00				
Source Name:	SWAMP CREEK				
Source Type:	SURFACE WATER				
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.				
Point of Diversion and Means of Diversion:					
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESWNW 11 9N 20W RAVALLI				
Period of Diversion	: JANUARY 1 TO DECEMBER 31				
Diversion Means:					
2 Period of Diversion	NENWNW 14 9N 20W RAVALLI I: JANUARY 1 TO DECEMBER 31				
Diversion Means:	DAM				

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R	eservoir:	ONSTREAM	Reservoir Nam	e: PC	ND 5		
		Govt Lot	Qtr Sec W2	<u>Sec</u> 11	<u>Twp</u> 9N		<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity	Area:	DIVERSION # 1 7.20 FEET 7.20 FEET 51.46 ACRES 152.02 ACRE-	6			
R	eservoir:	ONSTREAM	Reservoir Nam	e: BA	RN SL	OUGH	
		<u>Govt Lot</u>	<u>Qtr Sec</u> E2	<u>Sec</u> 10	<u>Twp</u> 9N		<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity	Area:	DIVERSION # 1 5.60 FEET 5.60 FEET 15.40 ACRES 39.69 ACRE-	6			
R	leservoir:	ONSTREAM	Reservoir Nam	e: PC	ND A		
		Govt Lot	<u>Qtr Sec</u> NE	<u>Sec</u> 10	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity	Area:	DIVERSION # 1 2.80 FEET 2.80 FEET 11.40 ACRES 12.80 ACRES	6			
R	leservoir:	ONSTREAM	Reservoir Nam	e: PC	ND 2A		
		<u>Govt Lot</u>	<u>Qtr Sec</u> NWNW	<u>Sec</u> 14	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity	Area: :		S FEET		N THE	CLAIM FILE FOR ADDITIONAL
Period	of Use:	JANUARY	1 TO DECEMBI	ER 31			
*Place o							
<u>ID</u>	Acr	es <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>		County
1			K 1	2	9N	20W	RAVALLI
2 3			NE S2	3 3	9N 9N		RAVALLI RAVALLI
3 4			52 E2	3 10	9N 9N		RAVALLI
+			EZ	10	JIN ON	2000	

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20W RAVALLI

20W RAVALLI

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#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
7			NENE	15	9N	20W	RAVALLI
8			S2	35	10N	20W	RAVALLI
9			W2	36	10N	20W	RAVALLI

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/16/2009: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, VOLUME.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF **AVAILABILITY."**

Water Right Number:	76H 188232-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486
<b>Priority Date:</b>	DECEMBER 10, 1963
Type of Historical Righ	t: USE
Purpose(use):	FISH AND WILDLIFE
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	181.48 AC-FT
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.
Maximum Acres:	720.00
Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF SPRING CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS ROGMAN'S CREEK
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.
Point of Diversion and	Means of Diversion:
<u>ID</u> 1	$\frac{\text{Govt Lot}}{\text{Govt Lot}} \qquad \underbrace{\text{Qtr Sec}}_{\text{OV}} \underbrace{\frac{\text{Sec}}{\text{Sec}}}_{\text{OV}} \underbrace{\frac{\text{Twp}}{\text{OV}}}_{\text{OV}} \underbrace{\frac{\text{Rge}}{\text{Pay(A)}}}_{\text{Day(A)}} \underbrace{\frac{\text{County}}{\text{Pay(A)}}}_{\text{Day(A)}}$
•	SWNESE 2 9N 20W RAVALLI n: JANUARY 1 TO DECEMBER 31
Diversion Means	

**Diversion Means:** DAM

5

6

I	Reservoir:	ONSTREAM	Reservoir Name	e: PC	ΤΑΤΟ	CELLA	R POND
		<u>Govt Lot</u>	<u>Qtr Sec</u> NESE	<u>Sec</u> 2	<u>Twp</u> 9N		<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity	Area:	DIVERSION # 1 10.00 FEET 10.00 FEET 9.10 ACRES 36.40 ACRES	6			
ł	Reservoir:	ONSTREAM	Reservoir Name	e: PC	ND 12		
		<u>Govt Lot</u>	<u>Qtr Sec</u> W2	<u>Sec</u> 36	<u>Twp</u> 10N		<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity:	Area:	DIVERSION # 1 6.40 FEET 6.40 FEET 52.01 ACRES 133.22 ACRE-	6			
I	Reservoir:	ONSTREAM	Reservoir Name	e: PC	ND 11		
		<u>Govt Lot</u>	<u>Qtr Sec</u> SW	<u>Sec</u> 36	<u>Twp</u> 10N	<u>Rge</u> 20W	<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity:	Area:	DIVERSION # 1 8.28 FEET 8.28 FEET 24.69 ACRES 52.05 ACRE-	S FEET			
ŀ	Reservoir:	ONSTREAM	Reservoir Name			-	<b>a</b>
	Diversion Dam Heig Depth: Surface A Capacity:	area:		S FEET	<u>Twp</u> 9N HEET I	20W	County RAVALLI CLAIM FILE FOR ADDITIONAL
Period	of Use:	JANUARY	1 TO DECEMBE	ER 31			
Place of <u>ID</u> 1 2 3 4	f Use: <u>Acr</u>	es <u>Govt Lot</u>	<u>Qtr Sec</u> E2 NW NENE S2	<u>Sec</u> 2 2 3 35	<u>Twp</u> 9N 9N 9N 10N	20W 20W 20W	<u>County</u> RAVALLI RAVALLI RAVALLI RAVALLI
_					4.014		5 4 / 4 / 1

NWNE

W2

36

36

10N

10N

20W RAVALLI

20W RAVALLI

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/16/2009: PLACE OF USE, MAXIMUM ACRES, FLOW RATE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/03/2009: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, FLOW RATE, VOLUME.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

BECAUSE THIS CLAIM DID NOT RECEIVE A FACTUAL OR LEGAL ISSUE REMARK DURING THE CLAIMS EXAMINATION PROCESS, THE WATER COURT WILL NOT HOLD A HEARING ON THIS CLAIM UNDER MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396 UNLESS A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF **AVAILABILITY."**

Water Right Number:	76H 188233-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486
Priority Date:	JUNE 15, 1905
Type of Historical Right	: FILED
Purpose(use):	FISH AND WILDLIFE
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	1,344.00 AC-FT
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.
Maximum Acres:	1,536.00
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF SPRING CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS MIDDLE DRAIN
	THE SOURCE IS WATER COLLECTED IN A DRAIN DITCH.
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.
*Point of Diversion and N	Means of Diversion:
ID	Govt Lot Otr Sec Sec Two Rge County

Twp <u>ID</u> Govt Lot <u>Qtr Sec</u> <u>Sec</u> **<u>Rge</u>** <u>County</u> 1 NENESW 11 9N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **DRAIN DITCH Diversion Means:** 

WATER DIVERTED FROM MIDDLE DRAIN IS CONVEYED TO SPRING CREEK WHICH IS USED AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

Reservoir:	ONSTREAM	Reservoir Name: POND 5
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> W2 11 9N 20W RAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 7.20 FEET 7.20 FEET 51.46 ACRES 152.02 ACRE-FEET
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 6
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENW 11 9N 20W RAVALLI
Diversior Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 4.30 FEET 4.30 FEET 11.58 ACRES 17.43 ACRE-FEET
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 8
	<u>Govt Lot</u>	Qtr SecSecTwpRgeCountyS229N20WRAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 10.20 FEET 10.20 FEET 69.21 ACRES 191.13 ACRE-FEET
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 4
Diversior Dam Hei Depth: Surface A Capacity	Area:	Qtr Sec E2SWSec 11Twp 9NRge 20WCounty RAVALLIDIVERSION # 14.60FEET4.60FEET12.50ACRES18.67ACRE-FEET
Reservoir:	ONSTREAM	Reservoir Name: POND 11
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SW 36 10N 20W RAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 8.28 FEET 8.28 FEET 24.69 ACRES 52.05 ACRE-FEET

Reservoir: ON	ISTREAM	Reserv	oir Nam	e: PO	ND 12		
	<u>Govt Lot</u>	9	<u>Qtr Sec</u> W2	<u>Sec</u> 36	<u>Twp</u> 10N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Diversion to F Dam Height: Depth: Surface Area: Capacity:		6.40 6.40 52.01	SION # 1 FEET FEET ACRES ACRES	6			
Reservoir: ON	ISTREAM	Reserv	oir Nam	e: PO	ND 10		
	Govt Lot	9	<u>Qtr Sec</u>	<u>Sec</u> 2	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Diversion to F Dam Height: Depth: Surface Area: Capacity:		12.50 12.50 170.23 551.64	SION # 1 FEET FEET ACRES ACRE-	S FEET	НЕЕТИ	NTHE	CLAIM FILE FOR ADDITIONAL
	RESERVO			JKKS			CLAIM FILE FOR ADDITIONAL
Period of Use:	JANUARY	1 TO DI	ECEMB	ER 31			

#### \*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1				2	9N	20W	RAVALLI
2			E2	3	9N	20W	RAVALLI
3			SW	3	9N	20W	RAVALLI
4			N2NE	10	9N	20W	RAVALLI
5			W2NE	11	9N	20W	RAVALLI
6			W2	11	9N	20W	RAVALLI
7			SESE	34	10N	20W	RAVALLI
8			S2	35	10N	20W	RAVALLI
9			NE	36	10N	20W	RAVALLI
10			W2	36	10N	20W	RAVALLI

#### Remarks:

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/03/2009: PLACE OF USE, MAXIMUM ACRES, FLOW RATE, VOLUME.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/16/2009: PLACE OF USE, FLOW RATE, VOLUME.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

BECAUSE THIS CLAIM DID NOT RECEIVE A FACTUAL OR LEGAL ISSUE REMARK DURING THE CLAIMS EXAMINATION PROCESS, THE WATER COURT WILL NOT HOLD A HEARING ON THIS CLAIM UNDER MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396 UNLESS A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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Water Right Number:	76H 188234-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486
Priority Date:	DECEMBER 10, 1963
Type of Historical Right	: USE
Purpose(use):	FISH AND WILDLIFE
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	1,344.00 AC-FT
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.
Maximum Acres:	1,536.00
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF SPRING CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS MIDDLE DRAIN
	THE SOURCE IS WATER COLLECTED IN A DRAIN DITCH.
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.
*Point of Diversion and I	Means of Diversion:
-	

ID<br/>1Govt Lot<br/>NENESWQtr Sec<br/>NENESWTwp<br/>9NRge<br/>20WCounty<br/>RAVALLIPeriod of Diversion:JANUARY 1 TO DECEMBER 31Diversion Means:DRAIN DITCH

WATER DIVERTED FROM MIDDLE DRAIN IS CONVEYED TO SPRING CREEK WHICH IS USED AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 4	
	Govt Lot	<u>Otr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> E2SW 11 9N 20W RAVAL	LI
Diversion Depth: Surface A Capacity		DIVERSION # 1 4.60 FEET 12.50 ACRES 18.67 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 5	
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> W2 11 9N 20W RAVALI	<b>_</b> 1
Diversion Depth: Surface A Capacity		DIVERSION # 1 7.20 FEET 51.46 ACRES 152.02 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 6	
	<u>Govt Lot</u>	<u>Otr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENW 11 9N 20W RAVALI	<b>_</b> I
Diversion Depth: Surface A Capacity		DIVERSION # 1 4.30 FEET 11.58 ACRES 17.43 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 13	
	Govt Lot	Qtr SecSecTwpRgeCountyN23610N20WRAVALI	<b>_</b> I
Diversion Depth: Surface A Capacity		DIVERSION # 1 6.60 FEET 31.72 ACRES 62.50 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 10	
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 2 9N 20W RAVAL	<b>_1</b>
Diversion Depth: Surface A Capacity		DIVERSION # 1 12.50 FEET 170.23 ACRES 551.64 ACRE-FEET	

<b>Reservoir:</b>	ONSTREAM	Reservoir Nam	e: PC	ND 11		
	Govt Lot	<u>Qtr Sec</u> SW	<u>Sec</u> 36	<u>Twp</u> 10N		<u>County</u> RAVALLI
Diversion Depth: Surface A Capacity:	to Reservoir: rea:	DIVERSION # 1 8.28 FEET 24.69 ACRES 52.05 ACRE-	3			
<b>Reservoir:</b>	ONSTREAM	Reservoir Nam	e: PC	ND 12		
	Govt Lot	<u>Qtr Sec</u> W2	<u>Sec</u> 36	<u>Twp</u> 10N		<u>County</u> RAVALLI
Diversion Depth: Surface A Capacity:	to Reservoir: rea:	DIVERSION # 1 6.40 FEET 52.01 ACRES 133.22 ACRE-	3			
<b>Reservoir:</b>	ONSTREAM	Reservoir Nam	e: PC	ND 8		
	Govt Lot	<u>Qtr Sec</u> S2	<u>Sec</u> 2	<u>Twp</u> 9N		<u>County</u> RAVALLI
Diversion Depth: Surface A Capacity:			S FEET	HEET I	N THE	CLAIM FILE FOR ADDITIONAL
Period of Use:	JANUARY	1 TO DECEMBI	ER 31			

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1				2	9N	20W	RAVALLI
2			E2	3	9N	20W	RAVALLI
3			SW	3	9N	20W	RAVALLI
4			N2NE	10	9N	20W	RAVALLI
5			W2NE	11	9N	20W	RAVALLI
6			W2	11	9N	20W	RAVALLI
7			S2	35	9N	20W	RAVALLI
8			SESE	34	10N	20W	RAVALLI
9			NE	36	10N	20W	RAVALLI
10			W2	36	10N	20W	RAVALLI

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 4/16/2009: PLACE OF USE, MAXIMUM ACRES, FLOW RATE AND VOLUME.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/03/2009: PLACE OF USE, MAXIMUM ACRES, FLOW RATE, VOLUME.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. DECEMBER 4, 2015 76H 188234-00

Page 4 of 4

BECAUSE THIS CLAIM DID NOT RECEIVE A FACTUAL OR LEGAL ISSUE REMARK DURING THE CLAIMS EXAMINATION PROCESS, THE WATER COURT WILL NOT HOLD A HEARING ON THIS CLAIM UNDER MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396 UNLESS A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 188235-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486				
Priority Date:	JULY 2, 1931				
Type of Historical Right:	at: FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER/FLOOD				
Flow Rate:	1.28 CFS				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Area:	3 - MODERATE				
Maximum Acres:	51.00				
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF SPRING CREEK				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS MIDDLE DRAIN				
	THE SOURCE IS WATER COLLECTED IN A DRAIN DITCH.				
*Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNESWNE119N20WRAVALLI				
	: APRIL 1 TO OCTOBER 31				
<b>Diversion Means:</b>	PUMP				
Period of Use:	APRIL 1 TO OCTOBER 31				

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	41.00		W2SE	11	9N	20W	RAVALLI
2	10.00		E2SW	11	9N	20W	RAVALLI
Total:	51.00						

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/16/2009: IRRIGATION TYPE, POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, FLOW RATE, VOLUME.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/29/2009: IRRIGATION TYPE, POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, FLOW RATE, VOLUME, PERIOD OF USE.

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF **AVAILABILITY."**

Water Right Number:	76H 188236-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486
Priority Date:	MAY 7, 1938
Type of Historical Right	t: FILED
Purpose(use):	FISH AND WILDLIFE
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	3,008.00 AC-FT
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.
Maximum Acres:	1,038.00
Source Name:	SPRING, UNNAMED TRIBUTARY OF SPRING CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS ROGMAN'S CREEK
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.
*Point of Diversion and	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySENENW119N20WRAVALLI
Period of Diversion	n: JANUARY 1 TO DECEMBER 31
Diversion Means.	DAM

**Diversion Means:** DAM

Reservoir:	ONSTREAM	Reservoir Name: F	POND 6		
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> NENW 11			<u>County</u> RAVALLI
Diversion to Dam Heigh Depth: Surface Arc Capacity:	it:	DIVERSION # 1 4.30 FEET 4.30 FEET 11.58 ACRES 17.43 ACRE-FEE	-		
Reservoir:	ONSTREAM	Reservoir Name: F	POND 8		
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> S2 2			<u>County</u> RAVALLI
Diversion to Dam Heigh Depth: Surface Ard Capacity:	ıt:	DIVERSION # 1 10.20 FEET 10.20 FEET 69.21 ACRES 191.13 ACRE-FEE		2000	
Reservoir: (	ONSTREAM	Reservoir Name: F	POND 12		
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> W2 36			<u>County</u> RAVALLI
Diversion to Dam Heigh Depth: Surface Are Capacity:	ıt:	DIVERSION # 1 6.40 FEET 6.40 FEET 52.01 ACRES 133.22 ACRE-FEE	T		
Reservoir: (	ONSTREAM	Reservoir Name: F	POND 11		
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> SW 36		<u>Rge</u> 20W	<u>County</u> RAVALLI
Dam Heigh Depth: Surface Ar Capacity:	nt: ea:	DIVERSION # 1 8.28 FEET 8.28 FEET 24.69 ACRES 52.05 ACRE-FEE			
Reservoir: (	ONSTREAM Govt Lot	Reservoir Name: F			<u>County</u>
Diversion to Dam Heigh Depth: Surface Ar Capacity:	o Reservoir: at: ea:	DIVERSION # 1 12.50 FEET 12.50 FEET 170.23 ACRES 551.64 ACRE-FEE RESERVOIR WORK	2 9N	20W	CLAIM FILE FOR ADDITIONAL
eriod of Use:		1 TO DECEMBER 3	31		

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>	
1				2	9N	20W	RAVALLI	
2			E2E2NE	3	9N	20W	RAVALLI	
3			NENE	10	9N	20W	RAVALLI	
4			N2N2	11	9N	20W	RAVALLI	
5			SENE	35	10N	20W	RAVALLI	
6			S2	35	10N	20W	RAVALLI	
7			W2E2	36	10N	20W	RAVALLI	
8			W2	36	10N	20W	RAVALLI	

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/03/2009: FLOW RATE, VOLUME, PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 188237-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486
<b>Priority Date:</b>	DECEMBER 10, 1963
Type of Historical Right	: USE
Purpose(use):	FISH AND WILDLIFE
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	6,317.00 AC-FT
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.
Maximum Acres:	1,929.00
Source Name:	SPRING CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS ROGMANS CREEK
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.
Point of Diversion and I	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	1 SWNENE 2 9N 20W RAVALLI
Period of Diversior Diversion Means:	a: JANUARY 1 TO DECEMBER 31 DAM
2	SWNWSE 2 9N 20W RAVALLI
	a: JANUARY 1 TO DECEMBER 31 DAM

DECEMBER 4, 2015 76H 188237-00 Page 2 of 6

> Point of Diversion and Means of Diversion: ID **Govt Lot** Qtr Sec <u>Twp</u> Rge County Sec 3 NENENW 11 9N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM NESENW 11 9N 20W RAVALLI 4 Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 5 NENESW 20W RAVALLI 11 9N Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM NESESW 20W RAVALLI 6 11 9N Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 7 NWNENW 14 9N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 20W RAVALLI 8 SWSENW 14 9N Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 9 SESWNW 36 10N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM

Reservoir:	ONSTREAM	Reservoir Name: POND 10
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 2 9N 20W RAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 12.50 FEET 12.50 FEET 170.23 ACRES 551.64 ACRE-FEET
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 11
	Govt Lot	Qtr SecSecTwpRgeCountySW3610N20WRAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 8.28 FEET 8.28 FEET 24.69 ACRES 52.05 ACRE-FEET
Reservoir:	ONSTREAM	Reservoir Name: POND 8
	<u>Govt Lot</u>	Qtr SecSecTwpRgeCountyS229N20WRAVALLI
Diversion Dam Hei Depth: Surface 4 Capacity	Area:	DIVERSION # 2 10.20 FEET 10.20 FEET 69.21 ACRES 191.13 ACRE-FEET
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 6
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENW 11 9N 20W RAVALLI
Dam Hei Depth: Surface A Capacity	Area: :	DIVERSION # 3 4.30 FEET 4.30 FEET 11.58 ACRES 17.43 ACRE-FEET
Reservoir:	ONSTREAM	Reservoir Name: POND 9
	Govt Lot	Qtr SecSecTwpRgeCountySE39N20WRAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 4 13.40 FEET 13.40 FEET 10.00 ACRES 53.60 ACRE-FEET

Reservoir:	ONSTREAM	Reservoir Name: POND 5	
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> W2 11 9N 20W RAVALL	I
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 4 7.20 FEET 7.20 FEET 51.46 ACRES 152.02 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 7	
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENW 11 9N 20W RAVALL	I
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 4 5.90 FEET 5.90 FEET 2.21 ACRES 3.77 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND A	
	Govt Lot	Qtr SecSecTwpRgeCountyNE109N20WRAVALL	I
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 4 2.80 FEET 2.80 FEET 11.40 ACRES 12.80 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 4	
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> E2SW 11 9N 20W RAVALL	
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 5 4.80 FEET 4.80 FEET 12.51 ACRES 18.67 ACRE-FEET	
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 3	
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESW 11 9N 20W RAVALL	I
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 6 9.50 FEET 9.50 FEET 20.56 ACRES 91.62 ACRE-FEET	

<b>Reservoir:</b>	ONSTREAM	Reservo	ir Namo	e: PO	ND 12		
	Govt Lot	Q	<mark>tr Sec</mark> W2	<u>Sec</u> 36	<u>Twp</u> 10N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Diversion	n to Reservoir:	DIVERSI	ON # 9				
Dam Hei	ght:	6.40	FEET				
Depth:		6.40	FEET				
Surface A	Area:	52.01	ACRES	5			
Capacity	:	133.22	ACRE-	FEET			
		RESERVO DIR DATA		ORKS	HEET I	N THE	CLAIM FILE FOR ADDITIONAL
1 6 1 1				-0.04			

**Period of Use:** 

JANUARY 1 TO DECEMBER 31

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1				2	9N	20W	RAVALLI
2			E2	3	9N	20W	RAVALLI
3			E2SW	3	9N	20W	RAVALLI
4			NE	10	9N	20W	RAVALLI
5			E2SE	10	9N	20W	RAVALLI
6			W2NE	11	9N	20W	RAVALLI
7			W2	11	9N	20W	RAVALLI
8			W2	14	9N	20W	RAVALLI
9			SESE	34	10N	20W	RAVALLI
10			SESENE	35	10N	20W	RAVALLI
11			S2	35	10N	20W	RAVALLI
12			W2NE	36	10N	20W	RAVALLI
13			W2	36	10N	20W	RAVALLI

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 5/29/2009: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, FLOW RATE AND VOLUME.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/16/2009: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, FLOW RATE, VOLUME.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 188238-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	JSA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486				
<b>Priority Date:</b>	NOVEMBER 4, 1950				
Type of Historical Right	: FILED				
Purpose(use):	FISH AND WILDLIFE				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.				
Volume:	980.00 AC-FT				
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.				
Maximum Acres:	1,929.00				
Source Name:	SPRING CREEK				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS ROGMANS CREEK				
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.				
Point of Diversion and I	Means of Diversion:				
ID	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>				
1	1 SWNENE 2 9N 20W RAVALLI				
Period of Diversion Diversion Means:	a: JANUARY 1 TO DECEMBER 31 DAM				
2	SWNWSE 2 9N 20W RAVALLI				
Period of Diversion Diversion Means:	I: JANUARY 1 TO DECEMBER 31 DAM				

DECEMBER 4, 2015 76H 188238-00 Page 2 of 6

> Point of Diversion and Means of Diversion: ID **Govt Lot** Qtr Sec <u>Twp</u> Rge County Sec 3 NENENW 11 9N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM NESENW 11 9N 20W RAVALLI 4 Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 5 NENESW 20W RAVALLI 11 9N Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM NESESW 20W RAVALLI 6 11 9N Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 7 NWNENW 14 9N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 20W RAVALLI 8 SWSENW 14 9N Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 9 SESWNW 36 10N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM

Reservoir:	ONSTREAM	Reservoir Name: POND 10
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 2 9N 20W RAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 12.50 FEET 12.50 FEET 170.23 ACRES 551.64 ACRE-FEET
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 11
	<u>Govt Lot</u>	Qtr SecSecTwpRgeCountySW3610N20WRAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 8.28 FEET 8.28 FEET 24.69 ACRES 52.02 ACRE-FEET
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 8
	Govt Lot	Qtr SecSecTwpRgeCountyS229N20WRAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 2 10.20 FEET 10.20 FEET 69.21 ACRES 191.13 ACRE-FEET
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 6
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENW 11 9N 20W RAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 3 4.30 FEET 4.30 FEET 11.58 ACRES 17.43 ACRE-FEET
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND A
	Govt Lot	Qtr SecSecTwpRgeCountyNE109N20WRAVALLI
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 4 2.80 FEET 2.80 FEET 11.40 ACRES 12.80 ACRE-FEET

<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 5			
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> W2 11	<u>Twp</u> 9N		<u>County</u> RAVALLI
Diversion Dam Heig Depth: Surface A Capacity:	rea:	DIVERSION # 4 7.20 FEET 7.20 FEET 51.46 ACRES 152.02 ACRE-FEET	-	2011	
Reservoir:	ONSTREAM	Reservoir Name: P			
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> NENW 11	<u>Twp</u> 9N		<u>County</u> RAVALLI
Diversion Dam Heig Depth: Surface A Capacity:	rea:	DIVERSION # 4 5.90 FEET 5.90 FEET 2.21 ACRES 3.77 ACRE-FEET	-		
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: PC	OND 4		
	Govt Lot	Qtr SecSecE2SW11	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Diversion Dam Heig Depth: Surface A Capacity:	rea:	DIVERSION # 5 4.80 FEET 4.80 FEET 12.51 ACRES 18.67 ACRE-FEET	-		
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: PC	OND 3		
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> SESW 11	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Dam Heig Depth: Surface A Capacity:	rea:	DIVERSION # 6 9.50 FEET 9.50 FEET 20.56 ACRES 91.62 ACRE-FEET			
Reservoir:	ONSTREAM	Reservoir Name: PC			
Diversion Dam Heig Depth: Surface A Capacity:	rea:			20W	County RAVALLI CLAIM FILE FOR ADDITIONAL
eriod of Use:		1 TO DECEMBER 3			

Place of Us	e:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1				2	9N	20W	RAVALLI
2			E2	3	9N	20W	RAVALLI
3			E2SW	3	9N	20W	RAVALLI
4			NE	10	9N	20W	RAVALLI
5			E2SE	10	9N	20W	RAVALLI
6			W2NE	11	9N	20W	RAVALLI
7			W2	11	9N	20W	RAVALLI
8			W2	14	9N	20W	RAVALLI
9			SESE	34	10N	20W	RAVALLI
10			SESENE	35	10N	20W	RAVALLI
11			S2	35	10N	20W	RAVALLI
12			W2NE	36	10N	20W	RAVALLI
13			W2	36	10N	20W	RAVALLI

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 4/16/2009: POINT OF DIVERSION, PLACE OF USE AND MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/29/2009: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

BECAUSE THIS CLAIM DID NOT RECEIVE A FACTUAL OR LEGAL ISSUE REMARK DURING THE CLAIMS EXAMINATION PROCESS, THE WATER COURT WILL NOT HOLD A HEARING ON THIS CLAIM UNDER MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396 UNLESS A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 188238-00 Page 6 of 6

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 188239-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486					
<b>Priority Date:</b>	JUNE 10, 1882					
Type of Historical Right	: FILED					
Purpose(use):	FISH AND WILDLIFE					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.					
Volume:	560.00 AC-FT					
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.					
Maximum Acres:	1,929.00					
Source Name:	SPRING CREEK					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS ROGMANS CREEK					
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.					
Point of Diversion and I	Means of Diversion:					
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>					
	1 SWNENE 2 9N 20W RAVALLI					
Period of Diversion Diversion Means:	I: JANUARY 1 TO DECEMBER 31 DAM					
2	SWNWSE 2 9N 20W RAVALLI					
	LE JANUARY 1 TO DECEMBER 31 DAM					

DECEMBER 4, 2015 76H 188239-00 Page 2 of 6

> Point of Diversion and Means of Diversion: ID **Govt Lot** Qtr Sec <u>Twp</u> Rge County Sec 3 NENENW 11 9N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM NESENW 11 9N 20W RAVALLI 4 Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 5 NENESW 20W RAVALLI 11 9N Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM NESESW 20W RAVALLI 6 11 9N Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 7 NWNENW 14 9N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 20W RAVALLI 8 SWSENW 14 9N Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM 9 SESWNW 36 10N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** DAM

Reservoir:	ONSTREAM	Reservoir Name: POND 10							
	<u>Govt Lot</u>	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 2 9N 20W RAVALLI							
Diversion to Reservoir: Dam Height: Depth: Surface Area: Capacity:		DIVERSION # 1 12.50 FEET 12.50 FEET 170.23 ACRES 551.64 ACRE-FEET							
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 11							
	<u>Govt Lot</u>	Qtr SecSecTwpRgeCountySW3610N20WRAVALLI							
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 1 8.28 FEET 8.28 FEET 24.69 ACRES 52.02 ACRE-FEET							
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 8							
	Govt Lot	Qtr SecSecTwpRgeCountyS229N20WRAVALLI							
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 2 10.20 FEET 10.20 FEET 69.21 ACRES 191.13 ACRE-FEET							
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND 6							
	Govt Lot	<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENW 11 9N 20W RAVALLI							
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 3 4.30 FEET 4.30 FEET 11.58 ACRES 17.43 ACRE-FEET							
<b>Reservoir:</b>	ONSTREAM	Reservoir Name: POND A							
	Govt Lot	Qtr SecSecTwpRgeCountyNE109N20WRAVALLI							
Diversion Dam Hei Depth: Surface A Capacity	Area:	DIVERSION # 4 2.80 FEET 2.80 FEET 11.40 ACRES 12.80 ACRE-FEET							

Reservoir: ONS	STREAM	Reservoir Name: POND 5			ND 5		
	<u>Govt Lot</u>	Qt	<u>r Sec</u> W2	<u>Sec</u> 11	<u>Twp</u> 9N		<u>County</u> RAVALLI
Diversion to Re Dam Height: Depth: Surface Area: Capacity:	eservoir:	DIVERSIC 7.20 F 7.20 F 51.46 A 152.02 A	EET EET CRES				
Reservoir: ONS	STREAM	Reservoir	· Name	PO	ND 7		
	<u>Govt Lot</u>		<u>r Sec</u> ENW	<u>Sec</u> 11	<u>Twp</u> 9N		<u>County</u> RAVALLI
Diversion to Re Dam Height: Depth: Surface Area: Capacity:	eservoir:	DIVERSIC 5.90 F 5.90 F 2.21 A 3.77 A	EET EET CRES				
Reservoir: ONS	STREAM	Reservoir	Name	PO	ND 4		
	Govt Lot		<u>r Sec</u> 2SW	<u>Sec</u> 11	<u>Twp</u> 9N		<u>County</u> RAVALLI
Diversion to Re Dam Height: Depth: Surface Area: Capacity:	eservoir:	DIVERSIC 4.80 F 4.80 F 12.51 A 18.67 A	EET EET CRES				
Reservoir: ONS	STREAM	Reservoir	· Name	PO	ND 3		
	<u>Govt Lot</u>		<u>r Sec</u> ESW	<u>Sec</u> 11	<u>Twp</u> 9N		<u>County</u> RAVALLI
Diversion to Re Dam Height: Depth: Surface Area: Capacity:		DIVERSIC 9.50 F 9.50 F 20.56 A 91.62 A	EET EET CRES CRE-F	FEET			
Reservoir: ONS	STREAM	Reservoir				р	
Diversion to Re Dam Height: Depth: Surface Area: Capacity:	SEE THE I	DIVERSIC 6.40 F 6.40 F 52.01 A 133.22 A RESERVO	EET EET CRES CRE-F	EET	<u>Тwp</u> 10N	20W	County RAVALLI CLAIM FILE FOR ADDITIONAL
Period of Use:	RESERVO JANUARY		EMBE	R 31			

Place of Use	e:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1				2	9N	20W	RAVALLI
2			E2	3	9N	20W	RAVALLI
3			E2SW	3	9N	20W	RAVALLI
4			NE	10	9N	20W	RAVALLI
5			E2SE	10	9N	20W	RAVALLI
6			W2NE	11	9N	20W	RAVALLI
7			W2	11	9N	20W	RAVALLI
8			W2	14	9N	20W	RAVALLI
9			SESE	34	10N	20W	RAVALLI
10			SESENE	35	10N	20W	RAVALLI
11			S2	35	10N	20W	RAVALLI
12			W2NE	36	10N	20W	RAVALLI
13			W2	36	10N	20W	RAVALLI

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 4/16/2009: POINT OF DIVERSION, PLACE OF USE AND MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/29/2009: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

BECAUSE THIS CLAIM DID NOT RECEIVE A FACTUAL OR LEGAL ISSUE REMARK DURING THE CLAIMS EXAMINATION PROCESS, THE WATER COURT WILL NOT HOLD A HEARING ON THIS CLAIM UNDER MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396 UNLESS A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 188239-00 Page 6 of 6

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 188240-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486			
Priority Date:	DECEMBER 10, 1963			
Type of Historical Right	: USE			
Purpose(use):	FISH AND WILDLIFE			
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.			
Volume:	32.00 AC-FT			
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.			
Maximum Acres:	2,188.00			
Source Name:	SPRING, UNNAMED TRIBUTARY OF SPRING CREEK			
Source Type:	SURFACE WATER			
	SOURCE IS COMPOSED OF SEVERAL UNDEVELOPED SPRINGS WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.			
	THE SOURCE CONSISTS OF COMMINGLED WATERS OF THE BITTERROOT RIVER, NORTH BURNT FORK CREEK, SWAMP CREEK, SPRING CREEK (ALSO KNOWN AS ROGMAN'S CREEK), THREEMILE CREEK, SUPPLY DITCH WATER, AND DIFFUSE SURFACE WATER. SEE CLAIM FILE FOR MORE INFORMATION.			
Point of Diversion and Means of Diversion:				
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESENW 14 9N 20W RAVALLI			
Period of Diversion	: JANUARY 1 TO DECEMBER 31			
<b>Diversion Means:</b>	DIKE			

5

6

R	eservoir:	ONSTREAM	Reservoir Nam	e: PC	ND D		
		<u>Govt Lot</u>	<u>Qtr Sec</u> NWNE	<u>Sec</u> 10	<u>Twp</u> 9N		<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity:	Area:	DIVERSION # 1 6.30 FEET 6.30 FEET 2.54 ACRES 6.40 ACRE-	6			
R	eservoir:	ONSTREAM	Reservoir Nam	e: PC	ND C		
		Govt Lot	<u>Qtr Sec</u> SENE	<u>Sec</u> 3	<u>Twp</u> 9N		<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity:	Area:	DIVERSION # 1 5.90 FEET 5.90 FEET 2.50 ACRES 5.90 ACRE-	6			
R	eservoir:	ONSTREAM	Reservoir Nam	e: BA	RN SL	OUGH	
		Govt Lot	<u>Qtr Sec</u> E2	<u>Sec</u> 10	<u>Twp</u> 9N		<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity	rea:	DIVERSION # 1 5.60 FEET 5.60 FEET 15.40 ACRES 39.69 ACRES	6			
R	eservoir:	ONSTREAM	Reservoir Nam	e: NC	RTH C	XBOW	SLOUGH
		<u>Govt Lot</u>	<u>Otr Sec</u> E2SW	<u>Sec</u> 35	<u>Twp</u> 10N		<u>County</u> RAVALLI
	Diversion Dam Heig Depth: Surface A Capacity:	area:		S FEET	HEETI	IN THE	CLAIM FILE FOR ADDITIONAL
Period	of Use:	JANUARY	1 TO DECEMBI	ER 31			
*Place of	f Use:						
<u>ID</u>	Acre	es <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>		County
1			Fo	2	9N		RAVALLI
2 3			E2 SW	3 3	9N 9N		RAVALLI RAVALLI
3 4			500 E2	3 10	9N 9N		RAVALLI
+			ĽZ	10	JIN	2000	

W2W2NE 11

W2 11

9N

9N

20W RAVALLI

20W RAVALLI

#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
7			NW	14	9N	20W	RAVALLI
8			NENE	15	9N	20W	RAVALLI
9			SESESE	34	10N	20W	RAVALLI
10			S2	35	10N	20W	RAVALLI
11			W2NE	36	10N	20W	RAVALLI
12			W2	36	10N	20W	RAVALLI

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/09/2009: FLOW RATE, VOLUME, MEANS OF DIVERSION, POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

BECAUSE THIS CLAIM DID NOT RECEIVE A FACTUAL OR LEGAL ISSUE REMARK DURING THE CLAIMS EXAMINATION PROCESS, THE WATER COURT WILL NOT HOLD A HEARING ON THIS CLAIM UNDER MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396 UNLESS A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 210653-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

KATHRYN L WILSON 955 GREEN TREE LN CORVALLIS, MT 59828

LINDA Y HOYT 956 GREEN TREE LN CORVALLIS, MT 59828

MICHAEL L HOYT 956 GREEN TREE LN CORVALLIS, MT 59828

DANIEL P WILSON 955 GREEN TREE LN CORVALLIS, MT 59828 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 1, 1860

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 12/06/1983 . 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.

**Type of Historical Right: DECREED** 

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

**Flow Rate:** 112.20 GPM

DECEMBER 4, 2015 76H 210653-00 Page 2 of 3

*Volume:	Climatic Area	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. 2 - MODERATELY HIGH					
Maximun	n Acres:	21.50					
Source Na Sourc	ame: e Type:		WILLOW CREEK SURFACE WATER				
Point of I	Diversion and <b>N</b>	Aeans of Diversi	on:				
<u>ID</u> 1		Govt LotQtr SecSecTwpRgeCountySESWNE76N19WRAVALLI					
Perio	od of Diversion	: APRIL 15 TO	OCTOBER 1	15			
	rsion Means: 1 Name:						
Period of	Use:	APRIL 15 TO	OCTOBER 1	5			
Place of Use:							
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	12.50		E2NESW	1	6N	20W	RAVALLI
2	9.00		SESW	1	6N	20W	RAVALLI
Total:	21.50						

#### **Remarks:**

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 01/19/2007.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 26 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 103413-00, 103414-00, 103415-00, 103416-00, 105370-00, 105371-00, 120035-00, 210653-00, 211388-00, 211389-00.

CLAIM FILED LATE 12/06/1983 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 210653-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 210745-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Late Claim: B

**Owners:** 

HELEN A EDEN PO BOX 402 CORVALLIS, MT 59828

JACK E EDEN PO BOX 402 CORVALLIS, MT 59828

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: SKALKAHO CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 02/12/2014.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 210746-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Late Claim: B

**Owners:** 

HELEN A EDEN PO BOX 402 CORVALLIS, MT 59828

JACK E EDEN PO BOX 402 CORVALLIS, MT 59828

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: SKALKAHO CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 02/12/2014.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 210747-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

HELEN A EDEN PO BOX 402 CORVALLIS, MT 59828

JACK E EDEN PO BOX 402 CORVALLIS, MT 59828

Priority Date: MAY 1, 1866

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 02/28/1984 . 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.

#### **Type of Historical Right: DECREED**

Purpose(use): *Flow Rate:	STOCK A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name: Source Type:	SKALKAHO CREEK SURFACE WATER

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#### \*Point of Diversion and Means of Diversion:

I only of Diversion and 1	icans of Divers	1011.				
$\frac{\text{ID}}{1}$	Govt Lot	<u>Qtr Sec</u>		Twp		County
1		NWNESW	8	5N	2000	RAVALLI
Period of Diversion	: JANUARY 1	TO DECEMB	ER 31			
<b>Diversion Means:</b>	HEADGATE					
Subdivision:	W AND R AD	D				
Ditch Name:	HEDGE DITC	Н				
	POINT WHE IS PART OF EXCHANGE. WATER FRC LINE (SWSW R20W). THE PETITION FC DISTRICT IN	RE THE HED THE SKALKA WATER FRO M SKALKAH /NE SEC 30 EXCHANGEI DR ORGANIZ RAVALLI CO OURTH JUDI	GE DI MO C OM THO C CRI T5N R D WA ATION OUNT CIAL	TCH IN REEK IE BITT EEK TH 19W) A TER RE N AND (, TO B DISTRI	ITERSI AND BI ERRO IAT IS ND W ELATIO ESTAB E KNO CT IN /	A IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N DNSHIP IS DESCRIBED IN - RE THE BLISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, (1984).
Period of Use:	JANUARY 1	TO DECEMBE	ER 31			

\*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1			E2SWSE	31	6N	20W	RAVALLI
	Subdivision:	W AND R ADD	TRACT/L	OT: 7	BLOC	K: 1	

#### Remarks:

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

#### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 02/28/1984 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA. 

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR **EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN** ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

**COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED** IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 210748-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

HELEN A EDEN PO BOX 402 CORVALLIS, MT 59828

JACK E EDEN PO BOX 402 CORVALLIS, MT 59828

Priority Date: MAY 1, 1875

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 02/28/1984 . 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.

#### **Type of Historical Right: DECREED**

Purpose(use): *Flow Rate:	STOCK A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name: Source Type:	SKALKAHO CREEK SURFACE WATER

#### \*Point of Diversion and Means of Diversion:

I only of Diversion and the	icuns of Diversi	011.				
ID	Govt Lot	<u>Qtr Sec</u>		<u>Twp</u>		County
1		NWNESW	8	5N	2000	RAVALLI
Period of Diversion:	JANUARY 1 1	O DECEMB	ER 31			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	HEDGE DITC	Н				
	POINT WHEF IS PART OF T EXCHANGE. WATER FRO LINE (SWSW R20W). THE PETITION FC DISTRICT IN	RE THE HED THE SKALKA WATER FRO M SKALKAH NE SEC 30 T EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	GE DI HO C OM TH O CRI 5N R 5N R O WA ATION OUNTY CIAL I	TCH IN REEK 7 IE BITT EEK TH 19W) A TER RE N AND I 7, TO B DISTRI	ITERSE AND BI ERROG IAT IS ND W ELATIO ESTAB E KNO CT IN A	I IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Use:	JANUARY 1 T	O DECEMBE	ER 31			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1		E2SWSE	31	6N	20W	RAVALLI

			01		2000	1.7
Subdivision:	W AND R ADD	TRACT/LO	DT: 7	BLOC	CK: 1	

#### Remarks:

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 02/28/1984 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 210748-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 210766-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

NORMAN E WOODARD 2255 S 1ST ST HAMILTON, MT 59840

> TRINITY CARE CENTER LLC 815B US HIGHWAY 93 S HAMILTON, MT 59840

PATRICIA A WOODARD 2255 S 1ST ST HAMILTON, MT 59840

Priority Date: JANUARY 25, 1936

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 03/21/1984 . 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.

Type of Historical Right: FILED

Purpose(use):	IRRIGATION
rurpose(use):	

Irrigation Type: FLOOD

\*Flow Rate: 255.00 GPM

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**\*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: 15.00

Source Name: Source Type:		EEPAGE, UNI CE WATER	NAME	d trie	BUTAR	Y OF BITTERROOT RIVER	
Point of Diversion and Means of Diversion:							
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> SWNESW	<u>Sec</u> 12	<u>Twp</u> 5N		<u>County</u> RAVALLI	
Period of Diversion Diversion Means:	HEADGATE	OCTOBER 3	31				

Period of Use: APRIL 15 TO OCTOBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	15.00		W2NWSE	12	5N	21W	RAVALLI
Total:	15.00						

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THIS CLAIM AND WATER RIGHT NO. 147595-00 APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

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

CLAIM FILED LATE 03/21/1984 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/15/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY BIG SKY HIGH LLC.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/15/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ANGLERS LODGE LLC.

USDA AERIAL PHOTOGRAPH NO. 179-116 , DATED 08/02/1979 APPEARS TO INDICATE 3.84 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 SWNESE SEC 12 TWP 5N RGE 21W RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:

## **PRELIMINARY DECREE** MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA** ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

76H 210959-00 STATEMENT OF CLAIM

	Version:	1 ORIGIN	IAL RIGHT			
		Status:	ACTIVE			
	Late Claim	: B				
Owners:	1027 CHEF	KYMBERLI M GRUENHAGEN 1027 CHERRY ORCHARD LOOP HAMILTON, MT 59840				
	KATHERINE L LUEDTKE 4177 GRIZZLY WAY STEVENSVILLE, MT 59870					

MICHAEL J LUEDTKE 4177 GRIZZLY WAY STEVENSVILLE. MT 59870

**CLINTON L MCCARTY** 137 TIN CUP RD **DARBY, MT 59829** 

GAIL A MCCARTY 137 TIN CUP RD **DARBY, MT 59829** 

C & G HOLDINGS LLC **PO BOX 493** HAMILTON, MT 59840

JOEL W CARUSO 1027 CHERRY ORCHARD LOOP HAMILTON, MT 59840 OWNER MCCARTY RETAINED. CONTRACT FOR DEED INTEREST. OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** APRIL 15, 1934

Enforceable Priority Date: JUNE 30, 1973

DECEMBER 4, 2015 76H 210959-00 Page 2 of 3

CLAIM FILED LATE 07/25/1983 . 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.

Type	of	Historical	<b>Right</b> :	FII	FD
Type	UL.	mound	mgnu.		

Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.00 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	3 - MODERATE
Maximum Acres:	50.00
Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF SPRING CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS WATER COLLECTED ALONG THE LENGTH OF DITCH WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

Point of Diversion and Means of Diversion:

ID		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			W2SW	18	9N	19W	RAVALLI
Peri	od of Diversion	: APRIL 15 TO	SEPTEMBER	R 30			
Dive	ersion Means:	DRAIN DITCH					
Period of	riod of Use: APRIL 15 TO SEPTEMBER 30						
Place of U	Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	35.00		SENE	13	9N	20W	RAVALLI
2	15.00		N2NESE	13	9N	20W	RAVALLI
Total:	50.00						

#### **Remarks:**

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 08/01/1983.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

FILING FEE INSUFFICIENT TO COVER CLAIM. TOTAL AMOUNT DUE \$20.00

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

CLAIM FILED LATE 07/25/1983 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/24/2014 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY THE BARSTADS, FUNKHOUSERS, KELLYS, CARUSO/GRUENHAGEN, AND VOELZ. DECEMBER 4, 2015 76H 210959-00 Page 3 of 3

THE RAVALLI COUNTY WATER RESOURCES SURVEY ( 1958 ) APPEARS TO INDICATE 31.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-138 , DATED 08/02/1979 APPEARS TO INDICATE 35.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED SOURCE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 210961-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners:** 

VIRGINIA M NENTWIG 4580 HOOVER LN STEVENSVILLE, MT 59870

Late Claim: B

MAX J NENTWIG 4590 HOOVER LN STEVENSVILLE, MT 59870

Priority Date: OCTOBER 4, 1899

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 08/01/1983 . 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.

Type of Historical Right: FILED

Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	336.60 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	3 - MODERATE
Maximum Acres:	20.00
Source Name:	THREEMILE CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 210961-00 Page 2 of 2

#### Point of Diversion and Means of Diversion:

ID		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			SESESE	32	10N	19W	RAVALLI
Pe	riod of Diversion	: APRIL 1 TO N	NOVEMBER '	1			
Div	version Means:	HEADGATE					
Su	bdivision:	SUNNYSIDE	ORCHARDS	NO 4	TRAC	T/LOT:	17 BLOCK: 16
Period of Use: APRIL 1 TO NOVEMBER 1							
Place of	f Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	20.00		N2NWNE	5	9N	19W	RAVALLI
S	Subdivision:	SUNNYSIDE	ORCHARDS	NO 4	TRAC	CT/LOT	: 1-4 BLOCK: 17
Total:	20.00						

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 08/01/1983 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON THREEMILE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 283 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 21117	<b>'0-00</b> ST/	ATEM	ENT	OF CL	AIM	
	Version:	1 ORIGI			Г		
		Status:	AC	TIVE			
Owners:	PEPPERBO 501 US HV HAMILTON	/Y 93 S					
Priority Date:	JUNE 1, 18	868					
Type of Historical Right	DECREED						
Purpose(use):	IRRIGATIC	N					
Irrigation Type:	FLOOD						
*Flow Rate:	119.71 GP	Μ					
*Volume:	THE TOTA AMOUNT F						T SHALL NOT EXCEED THE CIAL USE.
Climatic Area	2 - MODER	ATELY HIG	θH				
Maximum Acres:	20.00						
Source Name:	SKALKAH	O CREEK					
Source Type:	SURF	ACE WATE	ĒR				
*Point of Diversion and N	Aeans of Dive	ersion:					
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr</u> NENEI	W	<u>Sec</u> 7	<u>Twp</u> 5N		<u>County</u> RAVALLI
Period of Diversion Diversion Means: Ditch Name:	HEADGAT		R 31				
2 - SECONDARY Period of Diversion Diversion Means:	: APRIL 1 T HEADGAT			6	5N	20W	RAVALLI
		ROM REPU THE PLAC				S CON	VEYED THROUGH AN UNNAMED

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	20.00		N2NESE	1	5N	21W	RAVALLI
Total:	20.00						

#### 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.

107843-00 211170-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211170-00 211184-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 107843-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211170-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 21117	1-00 STA	FEMENT	OF CL	AIM	
	Version:	1 ORIGIN				
		Status:	ACTIVE	=		
Owners:	501 US HV	OX RANCH L √Y 93 S I, MT 59840	LC			
Priority Date:	MAY 1, 187	76				
Type of Historical Right	DECREED					
Purpose(use):	IRRIGATIC	N				
Irrigation Type:	FLOOD					
*Flow Rate:	2.08 CFS					
*Volume:	-	L VOLUME C PUT TO HIST	-		-	T SHALL NOT EXCEED THE CIAL USE.
Climatic Area	2 - MODER	ATELY HIGH	ł			
*Maximum Acres:	174.00					
Source Name:	SKALKAH	O CREEK				
Source Type:	SURF	ACE WATER	र			
*Point of Diversion and N	Aeans of Dive	ersion:				
ID 1 Period of Diversion			N 7	<u>Twp</u> 5N		<u>County</u> RAVALLI
Diversion Means: Ditch Name:	HEADGAT REPUBLIC	E AN DITCH				
2 - SECONDARY Period of Diversion Diversion Means:		NWSWS OCTOBER 3		5N	20W	RAVALLI
		ROM REPUB THE PLACE			S CON	VEYED THROUGH AN UNNAMED

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: MAY 1 TO OCTOBER 31

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	15.00		E2NE	1	5N	21W	RAVALLI
2	65.00		S2NE	1	5N	21W	RAVALLI
3	30.00		SENW	1	5N	21W	RAVALLI
4	18.00		S2NESE	1	5N	21W	RAVALLI
5	38.00		NWSE	1	5N	21W	RAVALLI
6	8.00		NESESE	1	5N	21W	RAVALLI
Total:	174.00						

#### **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.

107842-00 211171-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

107841-00 211171-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 107842-00.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 83.07 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 7307-00, 10187-00, 99850-00, 107841-00, 211171-00, 211172-00.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 88.26 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 179-116 , DATED 08/02/1979 , APPEARS TO INDICATE 76.14 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211172-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MICHAEL L TURNER 610 N 1ST ST STE 5 HAMILTON, MT 59840 2100
	CAROL L NORTHCOTT 184 SLEEPING CHILD DR HAMILTON, MT 59840 9749
	HAWKES, J ROBERT TRUST %J ROBERT HAWKES, TRUSTEE 594 SUNNY LN HAMILTON, MT 59840 9009
	MARGARET R TURNER 610 N 1ST ST STE 5 HAMILTON, MT 59840 2100
	W IAN NORTHCOTT 184 SLEEPING CHILD DR HAMILTON, MT 59840 9749 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	MAY 1, 1876
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
*Flow Rate:	106.29 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 2 - MODERATELY HIGH

76H 211172-00						
Page 2 of 3						
Maximum Acres:	30.00					
Source Name:	SKALKAHO CR	EEK				
Source Type:	SURFACE	WATER				
Point of Diversion and M	Ieans of Diversion	1:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NENENW	<u>Sec</u> 7	<u>Twp</u> 5N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Period of Diversion Diversion Means: Ditch Name:	APRIL 15 TO O HEADGATE REPUBLICAN E		5			
2 - SECONDARY Period of Diversion Diversion Means:	-	IWSWSE CTOBER 1	6 5	5N	20W	RAVALLI
	WATER FROM DITCH TO THE				CON	VEYED THROUGH AN UNNAMED
	POINT WHERE CLAIM IS PART EXCHANGE. W WATER FROM LINE (SWSWNI R20W). THE EX PETITION FOR DISTRICT IN RA	THE REP OF THE S ATER FRC SKALKAH E SEC 30 T (CHANGEI ORGANIZ AVALLI CC IRTH JUDI	UBLIC SKALK OM TH O CRE I5N R I5N R D WAT O WAT ATION OUNTY CIAL [	AN DIT AHO CI E BITTE EEK TH, 19W) AI FER RE I AND E 7, TO BE DISTRIC	CH IN REEK ERRO AT IS ND W LATIO ESTAB E KNO CT IN /	A IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N ONSHIP IS DESCRIBED IN - RE THE BLISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, (1984).
Period of Use:	APRIL 15 TO O	CTOBER 1	5			
Place of Use: <u>ID Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>

#### **Remarks:**

Total:

1

DECEMBER 4, 2015

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.

6

5N

20W RAVALLI

NWSW

211172-00 4105-00

30.00

30.00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 4105-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 83.07 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 7307-00, 10187-00, 99850-00, 107841-00, 211171-00, 211172-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/12/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY WEST FORK HOLDINGS LLC.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211173-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	MARY M TOTSOFF 101 SE BLOOD LN HAMILTON, MT 59840			
	NAYDEN_TOTSOFF 101 SE BLOOD LN HAMILTON, MT 59840			
Priority Date:	JUNE 1, 1868			
Type of Historical Right:	DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
Flow Rate:	6.73 GPM			
*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:	2.00			
Source Name: Source Type:	SKALKAHO CREEK SURFACE WATER			
Point of Diversion and N	Ieans of Diversion:			
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNENENW75N20WRAVALLI			
	: APRIL 1 TO SEPTEMBER 1			
Diversion Means: Ditch Name:	HEADGATE REPUBLICAN DITCH			
Duch mame:				

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	2.00		NWNWSW	6	5N	20W RAVALLI
Total:	2.00					

#### 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.

10187-00 211173-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 10187-00.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 94.93 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4105-00, 7308-00, 10123-00, 10124-00, 99849-00, 107842-00, 211173-00, 211185-00.

AS OF 11/18/2013 , THIS WATER RIGHT APPEARS TO BE OWNED BY WEST FORK HOLDINGS LLC , 594 SUNNY LN , HAMILTON, MT , 59840-9009.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211173-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211174-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	SHIRLEY I MCGOURTY 392 GRANTSDALE RD HAMILTON, MT 59840
	DAVID SAGER 378 GRANTSDALE RD HAMILTON, MT 59840
	EUGENE A FIELDS 382 GRANTSDALE RD HAMILTON, MT 59840
	BRUCE L AMSDEN 388 GRANTSDALE ROAD HAMILTON, MT 59840
	MARYLOU AMSDEN 388 GRANTSDALE ROAD HAMILTON, MT 59840
	DONALD M MCGOURTY 392 GRANTSDALE RD HAMILTON, MT 59840
	JOYCE A FIELDS 382 GRANTSDALE RD HAMILTON, MT 59840 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	MAY 1, 1875
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION

Irrigation Type: FLOOD

**DECEMBER 4, 2015** 76H 211174-00 Page 2 of 4 **\*Flow Rate:** 25.25 GPM \*Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. Climatic Area: 2 - MODERATELY HIGH 4.50 **Maximum Acres:** Source Name: SKALKAHO CREEK SURFACE WATER Source Type: \*Point of Diversion and Means of Diversion: **Govt Lot** ID **Qtr Sec** Sec Twp **Rge** County 1 NENENW 7 5N 20W RAVALLI Period of Diversion: APRIL 1 TO OCTOBER 1 **Diversion Means:** HEADGATE **Ditch Name:** REPUBLICAN DITCH 2 - SECONDARY SWNWSE 6 5N 20W RAVALLI Period of Diversion: APRIL 1 TO OCTOBER 1 **Diversion Means:** HEADGATE **Ditch Name:** SLOW DITCH WATER FROM REPUBLICAN DITCH IS CONVEYED THROUGH SLOW DITCH TO THE PLACE OF USE. THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT, 218 (1984). Period of Use: **APRIL 1 TO OCTOBER 1** \*Place of Use: ID Rge County **Govt Lot Qtr Sec** Twp Acres Sec 1.00 SWSESE 31 20W RAVALLI 1 6N W AND R ADD TRACT/LOT: 10 BLOCK: 1 Subdivision: 2 SWSWSE 31 6N 20W RAVALLI 1.00 Subdivision: W AND R ADD TRACT/LOT: 13 BLOCK: 1 3 0.50 SWSWSE 31 6N 20W RAVALLI W AND R ADD TRACT/LOT: E2 14 BLOCK: 1 Subdivision: 4 1.00 SWSWSE 31 6N 20W RAVALLI

W AND R ADD TRACT/LOT: 12 BLOCK: 1 Subdivision: 5 1.00 SWSWSE 31 6N 20W RAVALLI W AND R ADD TRACT/LOT: 11 BLOCK: 1 Subdivision:

**Remarks:** 

Total:

4.50

DECEMBER 4, 2015

76H 211174-00

Page 3 of 4

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.

211174-00 5526-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 5526-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED ON 10/21/2013 REQUESTING TO AMEND THE PRIORITY DATE, PURPOSE, IRRIGATION TYPE, FLOW RATE, VOLUME, AND PLACE OF USE. THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

AN AMENDMENT WAS SUBMITTED ON 11/12/2013 REQUESTING TO AMEND THE PRIORITY DATE, PURPOSE, IRRIGATION TYPE, FLOW RATE, VOLUME, MAXIMUM ACRES, AND PLACE OF USE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 127.08 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4602-00, 6051-00, 6613-00, 10141-00, 10143-00, 10144-00, 10145-00, 21194-00, 21196-00, 21219-00, 21220-00, 21988-00, 29177-00, 29178-00, 99690-00, 99940-00, 99943-00, 100556-00, 111242-00, 111244-00, 111247-00, 114606-00, 131635-00, 131637-00, 147840-00, 148074-00, 148077-00, 148179-00, 148181-00, 148182-00, 148232-00, 148249-00, 148253-00, 149050-00, 149051-00, 149052-00, 149054-00, 149830-00, 151047-00, 151049-00, 151396-00, 151679-00, 151680-00, 151830-00, 153805-00, 211174-00, 211707-00.

FILING FEE INSUFFICIENT TO COVER IMPLIED CLAIMS. TOTAL AMOUNT DUE \$80.00 FOR CLAIM NOS. 5526-00, 211174-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/24/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY EDWIN WENTWORTH.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211174-00 Page 4 of 4

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211175-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	LLOYD M CLARK 229 ANTIGONE DR HAMILTON, MT 59840
	NANCY J CLARK 229 ANTIGONE DR HAMILTON, MT 59840
Priority Date:	MAY 1, 1866
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	6.73 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Areas	2 - MODERATELY HIGH
Maximum Acres:	1.00
*Source Name: Source Type:	SKALKAHO CREEK SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNESW 8 5N 20W RAVALLI
-	: APRIL 15 TO OCTOBER 15 HEADGATE HEDGE DITCH

DECEMBER 4, 2015 76H 211175-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

'I OIIIt	of Diversion and W	leans of Divers	1011.				
$\frac{\text{ID}}{2}$		Govt Lot	<u>Qtr Sec</u>		Twp		County
	SECONDARY		NWNWNE	8	5N	2000	RAVALLI
Р	eriod of Diversion:	APRIL 15 TO	OCTOBER 1	5			
D	iversion Means:	HEADGATE					
D	itch Name:	REESER DIT	CH				
		WATER FRO PLACE OF U		тсн	IS CON	VEYED	D THROUGH REESER DITCH TO THE
		POINT WHEF IS PART OF EXCHANGE. WATER FRO LINE (SWSW R20W). THE PETITION FO DISTRICT IN	RE THE HED THE SKALKA WATER FRC M SKALKAH NE SEC 30 T EXCHANGEL DR ORGANIZ RAVALLI CC DURTH JUDI	GE D HO C OM TH O CR 5N R O WA ATIO OUNT CIAL	ITCH IN CREEK / HE BITT EEK TH (19W) A TER RE N AND E Y, TO B DISTRI	TERSE AND BI ERROO IAT IS I ND W/ ELATIO ESTAB E KNO CT IN /	IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM TTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period	of Use:	APRIL 15 TO	OCTOBER 1	5			
*Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County
1	1.00	4	NWNWNW	5	5N	20W	RAVALLI
	Subdivision:	GRANTSDAL	E ACRES SU	JBD	TRACT	/LOT: <sup>^</sup>	1

**Total:** 1.00

#### 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.

151396-00 211175-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 151396-00.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 79.42 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5526-00, 10142-00, 21195-00, 21197-00, 21218-00, 21221-00, 21989-00, 99689-00, 99941-00, 99942-00, 99944-00, 99945-00, 105257-00, 105293-00, 107441-00, 107442-00, 111243-00, 111246-00, 111248-00, 114603-00, 131636-00, 131638-00, 147842-00, 147843-00, 148075-00, 148076-00, 148178-00, 148180-00, 148183-00, 148233-00, 148251-00, 148252-00, 149048-00, 149049-00, 149053-00, 149055-00, 149829-00, 151048-00, 151050-00, 151678-00, 151681-00, 151682-00, 151829-00, 153806-00, 211175-00, 211705-00, 211706-00, 211708-00, 211709-00.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 680.00 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211176-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	CURTIS L JACOBSON 416 GRANTSDALE RD HAMILTON, MT 59840
	MARCELLA R JACOBSON 416 GRANTSDALE RD HAMILTON, MT 59840
Priority Date:	MAY 1, 1866
Type of Historical Right:	: DECREED
*Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	4.48 GPM
*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:	1.00
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and N	Aeans of Diversion:
<u>ID</u> 1	Govt Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u>
-	NENENW 7 5N 20W RAVALLI : APRIL 15 TO OCTOBER 1 HEADGATE REPUBLICAN DITCH

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: APRIL 15 TO OCTOBER 1

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	1.00	•	IWNWNE	٠.	••••		RAVALLI
	Subdivision:	W AND R ADD	TRACT/L	OT: 11	BLO	CK: 2	
Total	: 1.00						

#### 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.

148037-00 211176-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 14037-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211176-00 Page 3 of 3

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211177-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	REBECCA M BRANDBORG 620 FISH HATCHERY RD HAMILTON, MT 59840
	DANIEL M BRANDBORG 620 FISH HATCHERY RD HAMILTON, MT 59840
Priority Date:	MAY 1, 1876
Type of Historical Right:	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	3.36 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	3 - MODERATE
Maximum Acres:	0.60
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Ieans of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENENW 7 5N 20W RAVALLI
1	APRIL 1 TO OCTOBER 1
Diversion Means:	HEADGATE
Ditch Name:	REPUBLICAN DITCH

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: APRIL 1 TO OCTOBER 1

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>	
1	0.60		SESESW	6	5N	20W RAVALI	_
Total:	0.60						

#### Remarks:

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 10115-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE** MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF **AVAILABILITY."**

Water Right Number:	76H 211178-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	RICHARD_BUSH 610 N 1ST ST, SUITE 5-433 HAMILTON, MT 59840
	DONNA_BUSH 610 N 1ST_ST SUITE 5-433 HAMILTON, MT 59840
Priority Date:	MAY 1, 1876
Type of Historical Right	: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNENENW75N20WRAVALLI
	a: APRIL 15 TO OCTOBER 15
Diversion Means: Ditch Name:	HEADGATE REPUBLICAN DITCH

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: APRIL 15 TO OCTOBER 15

Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			NESESW	6	5N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211178-00 211179-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 10174-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211178-00 Page 3 of 3

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211179-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	RICHARD BUSH 610 N 1ST ST, SUITE 5-433 HAMILTON, MT 59840
	DONNA BUSH 610 N 1ST ST SUITE 5-433 HAMILTON, MT 59840
Priority Date:	MAY 1, 1876
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	4.48 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Areas	2 - MODERATELY HIGH
Maximum Acres:	0.84
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Ieans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNENENW75N20WRAVALLI
<b>Period of Diversion</b>	: APRIL 15 TO OCTOBER 15
Diversion Means:	
Ditch Name:	REPUBLICAN DITCH

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: APRIL 15 TO OCTOBER 15

Place of Use:

ĪD	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	0.84		NESESW	6	5N	20W RAVALLI
Total:	0.84					

#### 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.

10174-00 211179-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211178-00 211179-00

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211179-00 Page 3 of 3

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211180-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	THOMAS J FRASER 219 LINCOLN LANE HAMILTON, MT 59840					
	CATHERINE M FRASER 219 LINCOLN LANE HAMILTON, MT 59840					
Priority Date:	MAY 1, 1875					
Type of Historical Right	DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	SPRINKLER/FLOOD					
*Flow Rate:	34.56 GPM					
*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:	4.45					
Source Name:	SKALKAHO CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and M	*Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI					
Period of Diversion Diversion Means: Subdivision: Ditch Name:	: MAY 15 TO OCTOBER 30 HEADGATE W AND R ADD TRACT/LOT: 5 BLOCK: 2 HEDGE DITCH					

THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20W THE POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: MAY 15 TO OCTOBER 30

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	4.45		E2NWNE	•	••••		RAVALLI
	Subdivision:	W AND R ADD	) TRACT/L	OT: 5	BLOC	CK: 2	
Total	: 4.45						

#### 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.

211180-00 4605-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 4605-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211180-00 Page 3 of 3

# **PRELIMINARY DECREE** MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

**OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211181-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JACK WIGEN 202 ROSE LN HAMILTON, MT 59840
	VIRGINIA WIGEN 202 ROSE LN HAMILTON, MT 59840
Priority Date:	MAY 1, 1875
Type of Historical Right	: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENENW 7 5N 20W RAVALLI
	NENENW 7 5N 20W RAVALLI M: MAY 1 TO OCTOBER 1
Diversion Means:	HEADGATE
Subdivision:	W AND R ADD
<b>Ditch Name:</b>	REPUBLICAN DITCH

**DECEMBER 4, 2015** 76H 211181-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

I offic of Dive	1 SIOII and I	icans of Diversi	011.				
		Govt Lot	<u>Qtr Sec</u>		<u>Twp</u>		County
2 - SECON	IDARY		SWNWSE	6	5N	2000	RAVALLI
Period o	f Diversion	: MAY 1 TO OC	TOBER 1				
Diversio	n Means:	HEADGATE					
Ditch Na	me:	SLOW DITCH					
		WATER FROI THE PLACE C		CAN D	ITCH IS	S CON	VEYED THROUGH SLOW DITCH TO
		POINT WHER CLAIM IS PAF EXCHANGE. WATER FROI LINE (SWSW R20W). THE F PETITION FO DISTRICT IN	E THE REP TOF THE S WATER FRO M SKALKAH NE SEC 30 T EXCHANGEI R ORGANIZ RAVALLI CO DURTH JUDI	UBLIC SKALK OM TH O CRE T5N R O WAT O WAT ATION OUNTY CIAL I	CAN DIT CAHO C IE BITT EEK TH 19W) A TER RE N AND I (, TO B DISTRI	CH IN REEK ERROO AT IS ND W LATIO ESTAB E KNO CT IN A	IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Use	•	MAY 1 TO OC	TOBER 1				
Place of Use:							
ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		S	SWNWNE	6	5N	20W	RAVALLI
	Subdivision:	W AND R ADD	TRACT/L	OT: 19	BLO	CK: 2	

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211181-00 211182-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 12112-00. .....<u>s</u>

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION **OF THIS WATER RIGHT CLAIM.** 

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 3.08 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 151845-00, 211181-00, 211182-00. 

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR **EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN** ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211182-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JACK WIGEN 202 ROSE LN HAMILTON, MT 59840
	VIRGINIA WIGEN 202 ROSE LN HAMILTON, MT 59840
Priority Date:	MAY 1, 1875
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER
Flow Rate:	34.78 GPM
*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:	0.97
*Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENENW 7 5N 20W RAVALLI
Period of Diversion Diversion Means: Subdivision: Ditch Name:	: MAY 1 TO OCTOBER 1 HEADGATE W AND R ADD REPUBLICAN DITCH

DECEMBER 4, 2015 76H 211182-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

· Follit of Diversion and w	leans of Diversion					
<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>		Twp		County
2 - SECONDARY		SWNWSE	6	5N	20W	RAVALLI
Period of Diversion:	MAY 1 TO OCT	OBER 1				
<b>Diversion Means:</b>	HEADGATE					
<b>Ditch Name:</b>	SLOW DITCH					
	WATER FROM DITCH TO THE				CHIS	CONVEYED THROUGH THE SLOW
	POINT WHERE CLAIM IS PAR EXCHANGE. W WATER FROM LINE (SWSWN R20W). THE E PETITION FOR DISTRICT IN R	THE REP TOF THE S /ATER FRC SKALKAH E SEC 30 XCHANGEI CORGANIZ AVALLI CC JRTH JUDI	UBLIC SKALK OM TH O CRI T5N R D WA D WA ATION OUNTY CIAL I	CAN DI CAHO C IE BITT EEK TH 19W) A TER RE N AND (, TO B DISTRI	CH IN REEK ERRO IAT IS AND W ELATIO ESTAB E KNO CT IN /	A IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N ONSHIP IS DESCRIBED IN - RE THE BLISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, (1984).
Period of Use:	MAY 1 TO OCT	OBER 1				
*Place of Use:						
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
1 0.97		SENWNE	6	5N	20W	RAVALLI
Subdivision:	W AND R ADD	TRACT/L	OT: 1	9 BLC	CK: 2	
<b>Total:</b> 0.97						

#### **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.

12113-00 211182-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211181-00 211182-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 12113-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 3.08 MINER'S INCHES DECREED IN CASE NO. 2149 , RAVALLI COUNTY. 151845-00, 211181-00, 211182-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 36.00 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211183-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	DARLENE JEVNING 715 GRANTSDALE RD HAMILTON, MT 59840 9109						
*Priority Date:	MAY 1, 1868						
Type of Historical Right	DECREED						
Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER/FLOOD						
Flow Rate:	2.02 GPM						
*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:	0.50						
*Source Name:	SKALKAHO CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and M	Aeans of Diversion:						
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountySESWNW85N20WRAVALLI						
Period of Diversion	: APRIL 15 TO OCTOBER 15						
<b>Diversion Means:</b>	HEADGATE						
Ditch Name:	BAKER DITCH						
Period of Use:	APRIL 15 TO OCTOBER 15						
*Place of Use:							
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u> <u>Qtr Sec Sec Twp Rge</u> <u>County</u>						
1 0.50 Subdivision:	SWSWNE 7 5N 20W RAVALLI GRANTS, H H ADD (GRANTSDALE) TRACT/LOT: 8&9 BLOCK: 8						

\*Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
Total:	0.50					

#### **Remarks:**

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 4840-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 0.18 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 49075-00, 103454-00, 108746-00, 110530-00, 211183-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 21118	4-00	STATE	MENT	OF CL	AIM	
	Version:	1 O	RIGINAL	RIGH	IT		
		Statu	s: A	CTIVE			
Owners:	PEPPERBO 501 US HW HAMILTON	/Y 93 \$	S	;			
Priority Date:	JUNE 1, 18	68					
Type of Historical Right	DECREED						
Purpose(use):	STOCK						
*Flow Rate:	CONSISTS DITCH SYS	OF S STEM.	TOCK DF THE FL(	rinkin Dw r	NG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	STOCK WA	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE					
Source Name:	SKALKAHO	) CRE	EK				
Source Type:	SURF	ACE V	VATER				
*Point of Diversion and M	Aeans of Dive	ersion:					
<u>ID</u> 1	Govt Lot	NI	<u>Qtr Sec</u> ENENW	<u>Sec</u> 7	<u>Twp</u> 5N		<u>County</u> RAVALLI
Period of Diversion					NIC	2000	RAVALLI
Diversion Means:	HEADGAT			, ,			
Ditch Name:	REPUBLIC		тсн				
2 - SECONDARY		SV	VNWSE	6	5N	20W	RAVALLI
Period of Diversion Diversion Means:	: SEPTEMB HEADGAT		O MAY 3	51			

SLOW DITCH

Ditch Name:

WATER FROM REPUBLICAN DITCH IS CONVEYED THROUGH SLOW DITCH TO THE PLACE OF USE.

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: SEPTEMBER 1 TO MAY 31

\*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1			N2NESE	1	5N	21W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211170-00 211184-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 107840-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211184-00 Page 3 of 3

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 21118	35-00	STATE	MENT	OF CL	AIM	
	Version:	1 0	RIGINAL	RIGH	Т		
		Status	s: A	CTIVE			
Owners:	PEPPERB 501 US HV HAMILTON	VY 93 S	S	;			
Priority Date:	JUNE 1, 18	368					
Type of Historical Right:	DECREED						
Purpose(use):	STOCK						
*Flow Rate:	CONSISTS DITCH SYS	S OF S <sup>-</sup> STEM.	TOCK DF	RINKIN OW R/	IG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.						
Source Name:	SKALKAH	O CRE	EK				
Source Type:	SURF	FACE V	VATER				
*Point of Diversion and N	leans of Div	ersion:					
<u>ID</u> 1	<u>Govt Lot</u>		<u>Qtr Sec</u>	Sec	<u>Twp</u>		County
				7	5N	2000	RAVALLI
Period of Diversion Diversion Means:	HEADGA	-	DECEMB	ER 31			
Diversion Means: Ditch Name:	REPUBLIC		тсн				
2			SWNE	1	5N	21\//	RAVALLI
Period of Diversion		1 TO I		-		2100	
Diversion Means:	LIVESTO						
Diversion means:							

DECEMBER 4, 2015 76H 211185-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID		04 6	<b>G</b>	<b>T</b>	<b>D</b>	C
$\frac{\text{ID}}{3}$	<u>Govt Lot</u>	<u>Qtr Sec</u> SE	<u>Sec</u>	<u>Twp</u> 5N		County RAVALLI
Period of Diversion		-	•	JIN	2100	
Diversion Means:	LIVESTOCK DI					
					00144	
4 - SECONDARY	-	WNWSE	6	5N	2000	RAVALLI
Period of Diversion		DECEMB	ER 31			
Diversion Means:	HEADGATE					
Ditch Name:	SLOW DITCH					
	WATER FROM THE PLACE OF		CAN D	ITCH IS	S CON	VEYED THROUGH SLOW DITCH TO
	POINT WHERE CLAIM IS PART EXCHANGE. W WATER FROM LINE (SWSWNI R20W). THE EX PETITION FOR DISTRICT IN RA	THE REP OF THE S ATER FRC SKALKAH E SEC 30 CHANGEI ORGANIZ AVALLI CC IRTH JUDI	UBLIC SKALK OM TH O CRE T5N R D WAT O WAT ATION OUNTY CIAL I	AN DIT AHO C E BITT EEK TH 19W) A FER RE N AND I 7, TO B DISTRI	CH IN REEK ERROO AT IS ND W LATIO ESTAB E KNO CT IN A	I IS NENENW SEC 7 T5N R20W THE TERSECTS SKALKAHO CREEK. THIS AND BITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Period of Use:	JANUARY 1 TO	DECEMB	ER 31			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1		E2	1	5N	21W	RAVALLI
2		SWNE	1	5N	21W	RAVALLI
3		SE	1	5N	21W	RAVALLI

#### Remarks:

\*

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

107842-00 211185-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 107841 00.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 94.93 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4105-00, 7308-00, 10123-00, 10124-00, 99849-00, 107842-00, 211173-00, 211185-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 211192-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

SANDRA M SANGSTER 3400 LOGAN LN STEVENSVILLE, MT 59870

> ROBERT H SANGSTER 3400 LOGAN LN STEVENSVILLE, MT 59870 6623

Priority Date: JUNE 26, 1952

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 07/06/1987 . 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.

Type of Historical Right: FILED

Purpose(use):	IRRIGATION						
Irrigation Type:	SPRINKLER/FLOOD						
Flow Rate:	1.50 CFS						
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
Climatic Area	: 3 - MODERATE						
Maximum Acres:	45.00						
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER						
Source Type:	SURFACE WATER						

DECEMBER 4, 2015 76H 211192-00 Page 2 of 3

#### Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NESWSW	<u>Sec</u> 36	<u>Twp</u> 9N		<u>County</u> RAVALLI
Period of Diversion: MAY 1 TO SEPTEMBER 1							
<b>Diversion Means:</b>		DRAIN DITC	Н				
Ditch Name:		WILLOUGHBY DITCH					
Period of Use:		MAY 1 TO SEPTEMBER 1					
Place of Use:							
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1	27.50		NWSW	36	9N	20W	RAVALLI
2	17.50		SWSW	36	9N	20W	RAVALLI
Total:	45.00						

#### 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.

146868-00 146869-00 146870-00 146871-00 146872-00 146873-00 211192-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/13/2014: PLACE OF USE, MAXIMUM ACRES.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM NOS. 146872-00 AND 211192-00 MAY BE REDUNDANT CLAIMS ON THE SAME HISTORIC APPROPRIATION OF WATER. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

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. 146872-00, 211192-00, 147464-00, 147467-00.

CLAIM FILED LATE 07/06/1987 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 211285-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

LORBIECKE, DOROTHY TRUST % DOROTHY LORBIECKE 25 LOST LAMB LN HAMILTON, MT 59840

> BALTIMORE LIVING TRUST BALTIMORE, DAVID & ALICE TRUSTEES 1255 SOUTH GRAND AVE PASADENA, CA 91105 2835

Priority Date: MAY 22, 1908

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 05/02/1985 . 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.

Type of Historical Right: USE

Purpose(use):	IRRIGATION			
Irrigation Type:	SPRINKLER/FLOOD			
Flow Rate:	1.75 CFS			
Volume:	640.00 AC-FT			
Climatic Area:	2 - MODERATELY HIGH			
Maximum Acres:	50.00			
*Source Name:	UNNAMED TRIBUTARY OF BITTERROOT RIVER			
Source Type:	SURFACE WATER			
	ALSO KNOWN AS SOURCE NUMBER TWO			

DECEMBER 4, 2015 76H 211285-00 Page 2 of 3

*Point of Diversion and Means of Diversion:							
<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> NWSESE	<u>Sec</u> 12	<u>Тwp</u> 5N		<u>County</u> RAVALLI
*Peri	od of Diversior	: APRIL 15 T	O OCTOBER 1	15			
Dive	ersion Means:	DAM					
*Re	servoir: OF	FSTREAM					
		<u>Govt Lot</u>	<u>Qtr Sec</u> NWSESE	<u>Sec</u> 12	<u>Тwp</u> 5N	<u>Rge</u> 21W	<u>County</u> RAVALLI
	Diversion to R	eservoir: C	VERSION # 1				
	Dam Height:		13.00 FEET				
	Depth:		10.00 FEET				
	Surface Area:		3.50 ACRES	3			
	Capacity:		14.00 ACRE-	FEET			
		THE CAPAC DNRC.	CITY, DAM HEI	GHT,	AND S	URFAC	CE AREA HAVE BEEN ESTIMATED BY
Period of	Use:	APRIL 15 TO	O OCTOBER 1	5			
Place of U	Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	10.00		W2W2SENE	12	5N	21W	RAVALLI
2	40.00		SWNE	12	5N	21W	RAVALLI
Total:	50.00						

#### **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.

147737-00 211285-00 211286-00 211287-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211285-00 211286-00 211287-00

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 05/02/1985 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/05/2007 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SUE MOSBRUCKER, 49 LOST LAMB LN, HAMILTON, MT, 59840-9700. DECEMBER 4, 2015

76H 211285-00

Page 3 of 3

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/27/2006 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JOHN LORBIECKE, 25 LOST LAMB LN, HAMILTON, MT, 59840-9700.

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 VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 45 TIMES THE CAPACITY OF THE RESERVOIR.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 635.16 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 211286-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

LORBIECKE, DOROTHY TRUST % DOROTHY LORBIECKE 25 LOST LAMB LN HAMILTON, MT 59840

> BALTIMORE LIVING TRUST BALTIMORE, DAVID & ALICE TRUSTEES 1255 SOUTH GRAND AVE PASADENA, CA 91105 2835

Priority Date: MAY 22, 1908

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 05/02/1985 . 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.

Type of Historical Right: USE

Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.75 CFS
	PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.
*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: 50.00

**DECEMBER 4, 2015** 76H 211286-00 Page 2 of 3 UNNAMED TRIBUTARY OF BITTERROOT RIVER \*Source Name: SURFACE WATER Source Type: ALSO KNOWN AS SOURCE #3 \*Point of Diversion and Means of Diversion: ID **Govt Lot** Sec **Rge** County Qtr Sec Twp 1 SWNESE 12 5N 21W RAVALLI \*Period of Diversion: APRIL 15 TO OCTOBER 15 **Diversion Means:** DAM THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM. **OFFSTREAM** \*Reservoir: Govt Lot Qtr Sec **Rge** County Sec Twp SWNESE 5N RAVALLI 12 21W **DIVERSION #1 Diversion to Reservoir:** 13.00 FEET Dam Height: 10.00 FEET Depth: Surface Area: 3.50 ACRES Capacity: 14.00 ACRE-FEET THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. **APRIL 15 TO OCTOBER 15 Period of Use:** Place of Use: **Govt Lot** ID Acres Qtr Sec Sec Twp Rge County 1 10.00 W2W2SENE 12 5N 21W RAVALLI 2 SWNE 40.00 12 5N 21W RAVALLI Total: 50.00

#### Remarks:

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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.

147737-00 211285-00 211286-00 211287-00

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211285-00 211286-00 211287-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.  DECEMBER 4, 2015 76H 211286-00

Page 3 of 3

CLAIM FILED LATE 05/02/1985. IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/12/2015 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SUE MOSBRUCKER.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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### **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211287-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

BALTIMORE LIVING TRUST BALTIMORE, DAVID & ALICE TRUSTEES 1255 SOUTH GRAND AVE PASADENA, CA 91105 2835

> LORBIECKE, DOROTHY TRUST % DOROTHY LORBIECKE 25 LOST LAMB LN HAMILTON, MT 59840

Priority Date: MAY 22, 1908

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 05/02/1985 . 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.

Type of Historical Right: USE

Purpose(use):	IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.75 CFS

**\*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:	50.00
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\*Source Name: UNNAMED TRIBUTARY OF BITTERROOT RIVER Source Type: SURFACE WATER ALSO KNOWN AS SOURCE # 1

#### THE SOURCE IS WATER COLLECTED IN THE SWAMP.

\*Point of Diversion and Means of Diversion:

50.00

<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> SWSESE	<u>Sec</u> 12	<u>Twp</u> 5N		<u>County</u> RAVALLI
Period of Diversion: APRIL 15 TO OCTOBER 15							
Diversi	ion Means:	DITCH					
Period of U	Period of Use: APRIL 15 TO OCTOBER 15						
Place of Use	2:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	10.00		W2W2SENE	12	5N	21W	RAVALLI

# 2 40.00 SWNE 12 5N 21W RAVALLI

#### Remarks:

Total:

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.

147737-00 211285-00 211286-00 211287-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211285-00 211286-00 211287-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 05/02/1985 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/12/2015 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SUE MOSBRUCKER.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211307-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	HAROLD MILDENBERGER PO BOX 630 HAMILTON, MT 59840 0630				
	MILDENBERGER PROPERTIES LLC PO BOX 630 HAMILTON, MT 59840 0630				
	MARILYN MILDENBERGER PO BOX 630 HAMILTON, MT 59840 0630				
Priority Date:	APRIL 15, 1892				
Type of Historical Right	FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	SPRINKLER/FLOOD				
Flow Rate:	2.08 CFS				
*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:	102.00				
Source Name:	SLEEPING CHILD CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and Means of Diversion:					
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWSWSE305N20WRAVALLI				
Period of Diversion	: APRIL 1 TO OCTOBER 31				
Diversion Means: Ditch Name:	HEADGATE BLODGETT-CULLER-GRILL DITCH				

DECEMBER 4, 2015 76H 211307-00 Page 2 of 3

Period of Use: APRIL 1 TO OCTOBER 31

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	15.00		W2NESW	18	5N	20W	RAVALLI
2	7.00		W2SESW	18	5N	20W	RAVALLI
3	80.00		W2SW	18	5N	20W	RAVALLI
Total:	102.00						

#### **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.

211307-00 4830-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211307-00 211308-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/06/1991: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 4830-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211307-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211308-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MARILYN MILDENBERGER PO BOX 630 HAMILTON, MT 59840 0630
	HAROLD MILDENBERGER PO BOX 630 HAMILTON, MT 59840 0630
	MILDENBERGER PROPERTIES LLC PO BOX 630 HAMILTON, MT 59840 0630
<b>Priority Date:</b>	APRIL 15, 1892
Type of Historical Right	t: FILED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	SLEEPING CHILD CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 211308-00 Page 2 of 2

> Point of Diversion and Means of Diversion: ID Govt Lot Qtr Sec Twp **Rge** County Sec 1 NWSWSE 30 5N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** HEADGATE **BLODGETT-CULLER-GRILL DITCH Ditch Name: JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Govt Lot Qtr Sec Sec Twp **Rge** County Acres 1 SW 5N 20W RAVALLI 18

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211307-00 211308-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 4829-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211365-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
	Late Claim: B
Owners:	CHERYL D RODBY 773 LAKEMONT PL UNIT 5 SAN RAMON, CA 94582 1484
*Priority Date:	JUNE 18, 1894
Enforceable Prio	rity Date: JUNE 30, 1973
	CLAIM FILED LATE 07/18/1985 . 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.
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
*Flow Rate:	1.52 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	40.00
Source Name:	SHEEP CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 211365-00 Page 2 of 3

**Point of Diversion and Means of Diversion:** 

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> SWNWSW	<u>Sec</u> 14	<u>Twp</u> 9N	<u>Rge</u> <u>County</u> 19W RAVALLI
Peri	iod of Diversion	: JANUARY 1	TO DECEMB	ER 31		
Dive	ersion Means:	HEADGATE				
Period of	f Use:	JANUARY 1	TO DECEMBE	ER 31		
Place of	Use:					
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	40.00		NWSW	14	9N	19W RAVALLI
Total:	40.00					

#### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

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. TWO FILED APPROPRIATION DOCUMENTS WERE SUBMITTED WITH THE CLAIM FILE.

CLAIM FILED LATE 07/18/1985 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 15 TO OCTOBER 15.

USDA AERIAL PHOTOGRAPH NO(S). CNR-3P-156 , DATED 08/01/1955 , APPEARS TO INDICATE 28.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). 379-49 , DATED 08/16/1979 , APPEARS TO INDICATE 29.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211365-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 211388-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: HEIDI LOIS STRAIN 1242 WILLOW CREE

1242 WILLOW CREEK RD CORVALLIS, MT 59828 9408

KIM HUNTER STRAIN 1242 WILLOW CREEK RD CORVALLIS, MT 59828 9408

Priority Date: JUNE 1, 1860

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 07/23/1985 . 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.

#### **Type of Historical Right: DECREED**

Purpose(use): *Flow Rate:	STOCK A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name: Source Type:	WILLOW CREEK SURFACE WATER

DECEMBER 4, 2015 76H 211388-00 Page 2 of 3

Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> SESWNE	<u>Sec</u> 7	<u>Twp</u> 6N	<u>Rge</u> 19W	<u>County</u> RAVALLI
-	Period of Diversion:	JANUARY 1 T			U.I.		
Ι	Diversion Means:	HEADGATE					
S	ubdivision:	SAPPHIRE PI	NE MEADOV	VS			
Ľ	Ditch Name:	RASMUSSEN	DITCH				
Perio	d of Use:	JANUARY 1 T	O DECEMBE	ER 31			
Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1	Subdivision:	SAPPHIRE PI	W2SESW NE MEADO\	1 NS T	6N RACT/	20W LOT: 2	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211388-00 211389-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 26 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 103413-00, 103414-00, 103415-00, 103416-00, 105370-00, 105371-00, 120035-00, 210653-00, 211388-00, 211389-00.

FILING FEE INSUFFICIENT TO COVER LATE CLAIMS. TOTAL AMOUNT DUE \$80.00 FOR CLAIM NOS. 211388-00, 211389-00.

CLAIM FILED LATE 07/23/1985 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211388-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 211389-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: HEIDI LOIS STRAIN 1242 WILLOW CREEK RD CORVALLIS, MT 59828 9408

> KIM HUNTER STRAIN 1242 WILLOW CREEK RD CORVALLIS, MT 59828 9408

Priority Date: JUNE 1, 1860

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 07/23/1985 . 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.

Type of Historical Right: DECREED

Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	78.54 GPM
*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:	5.88
Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 211389-00 Page 2 of 3

Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> SESWNE	<u>Sec</u> 7	<u>Twp</u> 6N	<u>Rge</u> <u>County</u> 19W RAVALLI
Perio	od of Diversion	: APRIL 15 TO	OCTOBER 1	5		
Dive	rsion Means:	HEADGATE				
Ditch	n Name:	RASMUSSEN	I DITCH			
Period of	Use:	APRIL 15 TO	OCTOBER 1	5		
Place of U	J <b>se:</b>					
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	5.88		SWSESW	1	6N	20W RAVALLI
Total:	5.88					

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211388-00 211389-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 26 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 103413-00, 103414-00, 103415-00, 103416-00, 105370-00, 105371-00, 120035-00, 210653-00, 211388-00, 211389-00.

FILING FEE INSUFFICIENT TO COVER LATE CLAIMS. TOTAL AMOUNT DUE \$80.00 FOR CLAIM NOS. 211388-00, 211389-00.

CLAIM FILED LATE 07/23/1985 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211389-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 211491-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: MERRY C MORRIS PO BOX 1090 DARBY, MT 59829

> GEORGE A MORRIS PO BOX 1090 DARBY, MT 59829

Priority Date: MAY 1, 1886

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/09/1985 . 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.

Type of Historical Right: USE

Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	42.50 GPM
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	3 - MODERATE
Maximum Acres:	2.50
Source Name:	BITTERROOT RIVER
Source Type:	SURFACE WATER

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot 2	<u>Qtr Sec</u> NWNENE	<u>Sec</u> 23	<u>Twp</u> 3N	<u>Rge</u> <u>County</u> 21W RAVALLI
Peri	iod of Diversion	: APRIL 15 TC	OCTOBER 1	15		
Dive	ersion Means:	PUMP				
Period of	f Use:	APRIL 15 TO	OCTOBER 1	5		
Place of	Use:					
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	2.50	2	NWNENE	23	3N	21W RAVALLI
Total:	2.50					

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/01/1991: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/23/2014: MAXIMUM ACRES, TYPE OF RIGHT.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

FILING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$40.00.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 09/09/1985 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BITTERROOT RIVER WITH A PRIORITY DATE PREDATING CASE NO. 1287 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211491-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211705-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	DOUGLAS R FORTNER PO BOX 1214 WHEATLAND, CA 95692 1214
	ZEIDLER, KATHLEEN M TRUST 216 E LAUREL PLENTYWOOD, MT 59254
	CINDY A FORTNER-DAYTON 2327 HOLLY VIEW DR MARTINEZ, CA 94553
	SUSAN K FORTNER 514 GLENWOOD AVE PLENTYWOOD, MT 59254
	JEFFREY T FORTNER 7977 PEBBLE BEACH DR APT 243 CITRUS HEIGHTS, CA 95610
	THOMAS WANKEL 514 BOXELDER ST PLENTYWOOD, MT 59254
	JAMES WANKEL 514 BOXELDER ST PLENTYWOOD, MT 59254
	MURIEL W GEORGE 493 GRANT LN HAMILTON, MT 59840
	CHERYL A OLSON 514 BOXELDER ST PLENTYWOOD, MT 59254

	AIMEE E FORTNER PO BOX 1214
	WHEATLAND, CA 95692 1214
Priority Date:	MAY 1, 1866
Type of Historical Right	: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI
	: JANUARY 1 TO DECEMBER 31
Diversion Means: Ditch Name:	HEADGATE HEDGE DITCH
2 - SECONDARY	NWNWNE 8 5N 20W RAVALLI
	: JANUARY 1 TO DECEMBER 31
Diversion Means:	HEADGATE
Ditch Name:	REESER DITCH
	WATER FROM HEDGE DITCH IS CONVEYED THROUGH REESER DITCH TO THE PLACE OF USE.
	THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20W THE POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).
Period of Use:	JANUARY 1 TO DECEMBER 31

Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	Subdivision:	W AND R ADD	SENE TRACT/L	6 OT: 2	5N BLOC	20W K: 5	RAVALLI
2	Subdivision:	W AND R ADD	SENE TRACT/L	6 OT: 15		20W CK: 5	RAVALLI
3	Subdivision:	W AND R ADD	SENE TRACT/L	6 OT: 14	5N I BLO	20W 0CK: 5	RAVALLI
4	Subdivision:	W AND R ADD	SENE TRACT/L	6 OT: 3	5N BLOC	20W CK: 5	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211705-00 211706-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 10145-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 79.42 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5526-00, 10142-00, 21195-00, 21197-00, 21218-00, 21221-00, 21989-00, 99689-00, 99941-00, 99942-00, 99944-00, 99945-00, 105257-00, 105293-00, 107441-00, 107442-00, 111243-00, 111246-00, 111248-00, 114603-00, 131636-00, 131638-00, 147842-00, 147843-00, 148075-00, 148076-00, 148178-00, 148180-00, 148183-00, 148233-00, 148251-00, 148252-00, 149048-00, 149049-00, 149053-00, 149055-00, 149829-00, 151048-00, 151050-00, 151678-00, 151681-00, 151682-00, 151829-00, 153806-00, 211175-00, 211705-00, 211706-00, 211708-00, 211709-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211705-00 Page 4 of 4

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211706-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners:** 

MURIEL W GEORGE 493 GRANT LN HAMILTON, MT 59840

JAMES WANKEL 514 BOXELDER ST PLENTYWOOD, MT 59254

JEFFREY T FORTNER 7977 PEBBLE BEACH DR APT 243 CITRUS HEIGHTS, CA 95610

ZEIDLER, KATHLEEN M TRUST 216 E LAUREL PLENTYWOOD, MT 59254

CHERYL A OLSON 514 BOXELDER ST PLENTYWOOD, MT 59254

SUSAN K FORTNER 514 GLENWOOD AVE PLENTYWOOD, MT 59254

CINDY A FORTNER-DAYTON 2327 HOLLY VIEW DR MARTINEZ, CA 94553

DOUGLAS R FORTNER PO BOX 1214 WHEATLAND, CA 95692 1214

AIMEE E FORTNER PO BOX 1214 WHEATLAND, CA 95692 1214

	THOMAS WANKEL 514 BOXELDER ST PLENTYWOOD, MT 59254
Priority Date:	MAY 1, 1866
-	
Type of Historical Right:	
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	86.39 GPM
*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:	20.00
*Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and N	Ieans of Diversion:
<u>ID</u> 1	Govt Lot <u>Qtr Sec Sec Twp Rge</u> County
	NWNESW 8 5N 20W RAVALLI
	APRIL 15 TO OCTOBER 1
Diversion Means: Ditch Name:	HEADGATE HEDGE DITCH
2 - SECONDARY	NWNWNE 8 5N 20W RAVALLI
	: APRIL 15 TO OCTOBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	REESER DITCH
	WATER FROM HEDGE DITCH IS CONVEYED THROUGH REESER DITCH TO THE PLACE OF USE.
	THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20W THE POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).
Period of Use:	APRIL 15 TO OCTOBER 1

Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	5.00 Subdivision:	S2 W AND R ADD	N2SENE TRACT/L	6 OT: 2	5N BLOC	20W K: 5	RAVALLI
2	5.00 Subdivision:	S2 W AND R ADD	N2SENE TRACT/L	-	••••	20W CK: 5	RAVALLI
3	5.00 Subdivision:	N2 W AND R ADD	S2SENE TRACT/L	6 OT: 14	••••	20W CK: 5	RAVALLI
4 Total	5.00 Subdivision: 1: 20.00	N2 W AND R ADD	S2SENE TRACT/L	6 OT: 3	5N BLOC	20W K: 5	RAVALLI
I Uta	20.00						

#### 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.

10144-00 146780-00 211706-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211705-00 211706-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 10144-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 79.42 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5526-00, 10142-00, 21195-00, 21197-00, 21218-00, 21221-00, 21989-00, 99689-00, 99941-00, 99942-00, 99944-00, 99945-00, 105257-00, 105293-00, 107441-00, 107442-00, 111243-00, 111246-00, 111248-00, 114603-00, 131636-00, 131638-00, 147842-00, 147843-00, 148075-00, 148076-00, 148178-00, 148180-00, 148183-00, 148233-00, 148251-00, 148252-00, 149048-00, 149049-00, 149053-00, 149055-00, 149829-00, 151048-00, 151050-00, 151678-00, 151681-00, 151682-00, 151829-00, 153806-00, 211175-00, 211705-00, 211706-00, 211708-00, 211709-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 21170	)7-00	STATE	MENT	OF CL	AIM				
	Version: 1 ORIGINAL RIGHT									
		Status	s: A	CTIVE						
Owners:	MURIEL W 493 GRAN HAMILTON	T LN								
	WALTER F ***DECEAS 493 GRAN HAMILTON	SED*** T LN								
Priority Date:	MAY 1, 187	75								
Type of Historical Right: DECREED										
Purpose(use):	FIRE PROTECTION									
Flow Rate:	276.01 GPM									
*Volume:	THE VOLUME OF THIS WATER RIGHT IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY FOR FIRE PROTECTION PURPOSES.									
Source Name:	SKALKAHO CREEK									
Source Type:	SURFACE WATER									
*Point of Diversion and I	Means of Div	ersion:								
<u>ID</u> 1	Govt Lot		<u>Qtr Sec</u> VNESW	<u>Sec</u> 8	<u>Twp</u> 5N		<u>County</u> RAVALLI			
Period of Diversion	: JANUARY	1 TO [	DECEMB	ER 31						
<b>Diversion Means:</b>	HEADGAT									
Subdivision:	W AND R ADD									
Ditch Name:	HEDGE D			~		0014	547/411			
2 - SECONDARY				8	5N	2000	RAVALLI			
Period of Diversion Diversion Means:	HEADGAT			EK 31						
Subdivision: Ditch Name:	W AND R REESER [	ADD								

WATER FROM HEDGE DITCH IS CONVEYED THROUGH REESER DITCH TO THE PLACE OF USE.

THE POINT OF DIVERSION FOR THIS CLAIM IS NWNESW SEC 8 T5N R20W THE POINT WHERE THE HEDGE DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use:

JANUARY 1 TO DECEMBER 31

\*Place of Use:

<u>ID</u>	Acres Govt Lot		<u>Qtr Sec</u> <u>Sec</u>	Twp	Rge	<b>County</b>			
1			NE 6	5N	20W	RAVALLI			
	Subdivision:	W AND R ADD	TRACT/LOT: 4	BLOC	CK: 5				
2			NE 6	5N	20W	RAVALLI			
	Subdivision:	W AND R ADD	TRACT/LOT: 1	3 BLO	CK: 5				
3			NE 6	5N	20W	RAVALLI			
	Subdivision:	W AND R ADD	TRACT/LOT: 12	2 BLO	CK: 5				
4			NE 6	5N	20W	RAVALLI			
	Subdivision:	W AND R ADD	TRACT/LOT: 5 BLOCK: 5						

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

10141-00 10143-00 211707-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 10142-00.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 127.08 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4602-00, 6051-00, 6613-00, 10141-00, 10143-00, 10144-00, 10145-00, 21194-00, 21196-00, 21219-00, 21220-00, 21988-00, 29177-00, 29178-00, 99690-00, 99940-00, 99943-00, 100556-00, 111242-00, 111244-00, 111247-00, 114606-00, 131635-00, 131637-00, 147840-00, 148074-00, 148077-00, 148179-00, 148181-00, 148182-00, 148232-00, 148249-00, 148253-00, 149050-00, 149051-00, 149052-00, 149054-00, 149830-00, 151047-00, 151049-00, 151830-00, 151830-00, 153805-00, 211174-00, 211707-00.

THE CLAIMED PURPOSE DOES NOT MATCH THE FORMERLY DECREED PURPOSE. CASE NO. 2149, RAVALLI COUNTY DECREED THE USE AS IRRIGATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211708-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	WALTER R GEORGE ***DECEASED*** 493 GRANT LN HAMILTON, MT 59840
	MURIEL W GEORGE 493 GRANT LN HAMILTON, MT 59840
Priority Date:	MAY 1, 1866
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	86.40 GPM
*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:	20.00
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI
Period of Diversion Diversion Means: Ditch Name:	: APRIL 15 TO OCTOBER 1 HEADGATE HEDGE DITCH

\*Point of Diversion and Means of Diversion:

ID	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
2 - SECONDARY		NWNWNE	8	5N	20W	RAVALLI
Period of Diversion:	APRIL 15 TO	OCTOBER 1				
<b>Diversion Means:</b>	HEADGATE					
<b>Ditch Name:</b>	REESER DIT	CH				
	WATER FRO PLACE OF U		ITCH	IS CON	IVEYE	D THROUGH REESER DITCH TO THE
	POINT WHEN IS PART OF EXCHANGE. WATER FRO LINE (SWSW R20W). THE	RE THE HED THE SKALKA WATER FRO M SKALKAH (NE SEC 30 <sup>-</sup> EXCHANGEI	GE DI HO C OM TH O CRI T5N R O WA	TCH IN REEK IE BITT EEK TH 19W) A TER RE	ITERSE AND BI ERRO IAT IS AND W ELATIO	IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM ITTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N INSHIP IS DESCRIBED IN - RE THE ILISHMENT OF AN IRRIGATION

Period of Use: APRIL 15 TO OCTOBER 1

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	5.00 Subdivision:	W AND R ADD	S2SENE TRACT/L	6 OT: 13	5N BLO	20W CK: 5	RAVALLI
2	5.00 Subdivision:	W AND R ADD	S2SENE TRACT/L	6 OT: 4	5N BLOC	20W K: 5	RAVALLI
3	5.00 Subdivision:	W AND R ADD	N2NESE TRACT/L	6 OT: 12	5N 2 BLO	20W CK: 5	RAVALLI
4	5.00 Subdivision:	W AND R ADD	N2NESE TRACT/L	6 OT: 5	5N BLOC	20W K: 5	RAVALLI
Total	: 20.00						

CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

#### **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.

DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI,

10143-00 146780-00 211708-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

10142-00 211708-00 211709-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 10143-00.

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

\_\_\_\_\_\_

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 79.42 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5526-00, 10142-00, 21195-00, 21197-00, 21218-00, 21221-00, 21989-00, 99689-00, 99941-00, 99942-00, 99944-00, 99945-00, 105257-00, 105293-00, 107441-00, 107442-00, 111243-00, 111246-00, 111248-00, 114603-00, 131636-00, 131638-00, 147842-00, 147843-00, 148075-00, 148076-00, 148178-00, 148180-00, 148183-00, 148233-00, 148251-00, 148252-00, 149048-00, 149049-00, 149053-00, 149055-00, 149829-00, 151048-00, 151050-00, 151678-00, 151681-00, 151682-00, 151829-00, 153806-00, 211175-00, 211705-00, 211706-00, 211708-00, 211709-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211709-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	WALTER R GEORGE ***DECEASED*** 493 GRANT LN HAMILTON, MT 59840
	MURIEL W GEORGE 493 GRANT LN HAMILTON, MT 59840
<b>Priority Date:</b>	MAY 1, 1866
Type of Historical Right	t: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER
*Point of Diversion and I	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCountyNWNESW85N20WRAVALLI
	n: JANUARY 1 TO DECEMBER 31
Diversion Means: Ditch Name:	HEADGATE HEDGE DITCH

*Point of Diversion an	d Means of Diversion:
------------------------	-----------------------

*Point	of Diversion and M	leans of Diversion	1:				
<u>ID</u>		Govt Lot	<u>Qtr Sec</u>				County
	SECONDARY		WNWNE	8	5N	20W	RAVALLI
	Period of Diversion:		DECEMB	ER 31			
Ι	Diversion Means:	HEADGATE					
Γ	oitch Name:	REESER DITCH	4				
		WATER FROM PLACE OF USE		TCHI	S CON	IVEYED	D THROUGH REESER DITCH TO THE
		POINT WHERE IS PART OF TH EXCHANGE. W WATER FROM LINE (SWSWN R20W). THE EX PETITION FOR DISTRICT IN R	THE HED IE SKALKA ATER FRO SKALKAH E SEC 30 T KCHANGEI ORGANIZ AVALLI CC JRTH JUDI	GE DIT HO CE M THI O CRE 5N R1 5N R1 D WAT O WAT ATION OUNTY CIAL E	ICH IN REEK E BITT EK TH I9W) A ER RE AND , TO B DISTRI	ITERSE AND BI ERROG IAT IS IAT IS IAND W/ ELATIO ESTAB E KNO CT IN /	I IS NWNESW SEC 8 T5N R20W THE ECTS SKALKAHO CREEK. THIS CLAIM TTERROOT RIVER WATER OT RIVER IS EXCHANGED FOR DIVERTED INTO THE SKALKAHO HI ARD DITCHES (SWSESW SEC 15 T5N NSHIP IS DESCRIBED IN - RE THE LISHMENT OF AN IRRIGATION WN AS DALY DITCHES IRRIGATION AND FOR THE COUNTY OF RAVALLI, 1984).
Perio	d of Use:	JANUARY 1 TO	DECEMBE	ER 31			
Place	of Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1	Subdivision:	W AND R ADD	S2SENE TRACT/L	6 OT: 13	5N BLC		RAVALLI
2	Subdivision:	W AND R ADD	S2SENE TRACT/L	6 OT: 4	5N BLOC		RAVALLI
3	Subdivision:	W AND R ADD	N2NESE TRACT/L	6 OT: 5	5N BLOC		RAVALLI
4			N2NESE	6	5N	20W	RAVALLI

#### **Remarks:**

Subdivision:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W AND R ADD TRACT/LOT: 12 BLOCK: 5

10142-00 211708-00 211709-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 10141-00.

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

DECEMBER 4, 2015 76H 211709-00 Page 3 of 3

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 79.42 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5526-00, 10142-00, 21195-00, 21197-00, 21218-00, 21221-00, 21989-00, 99689-00, 99941-00, 99942-00, 99944-00, 99945-00, 105257-00, 105293-00, 107441-00, 107442-00, 111243-00, 111246-00, 111248-00, 114603-00, 131636-00, 131638-00, 147842-00, 147843-00, 148075-00, 148076-00, 148178-00, 148180-00, 148183-00, 148233-00, 148251-00, 148252-00, 149048-00, 149049-00, 149053-00, 149055-00, 149829-00, 151048-00, 151050-00, 151678-00, 151681-00, 151682-00, 151829-00, 153806-00, 211175-00, 211705-00, 211706-00, 211708-00, 211709-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 211718-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: FLYING BS LLC 159 MAIN ST SHELBY, MT 59474

\*Priority Date: JUNE 1, 1865

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 04/25/1986 . 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.

**Type of Historical Right: DECREED** 

- Purpose(use): IRRIGATION
- Irrigation Type: FLOOD

Flow Rate: 94.25 GPM

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

Climatic Area: 3 - MODERATE

Maximum Acres: 5.66

Source Name:	SKALKAHO CREEK
Source Type:	SURFACE WATER

#### \*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		NENESW	6	5N	20W	RAVALLI
Period of Diversion	HAY 1 TO SE	PTEMBER 3	0			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	NICOL-HART	LATERAL				

**DECEMBER 4, 2015** 76H 211718-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{2}$		Govt Lot	<u>Qtr Sec</u>		Twp	Rge	
-	1 (D)		NWSWNW	8	5N	20W	RAVALLI
Peri	od of Diversion	: MAY 1 TO SE	PIEMDERS	0			
Dive	ersion Means:	HEADGATE					
3 - SE(	CONDARY	4	SESWSW	31	6N	20W	RAVALLI
Peri	od of Diversion	: MAY 1 TO SE	PTEMBER 3	0			
Dive	ersion Means:	HEADGATE					
4 - SE0	CONDARY		SENESE	36	6N	21W	RAVALLI
Peri	od of Diversion	: MAY 1 TO SE	PTEMBER 3	0			
Dive	ersion Means:	HEADGATE					
		LATERAL WH	HICH IS USE N THE SESV	D AS / VSW,	A NATU GOVT	JRAL C	K IS CONVEYED TO NICOL-HART CARRIER TO SECONDARY POINTS OF SEC 31, T6N, R20W AND SENESE SEC
Period of	Use:	MAY 1 TO SE	PTEMBER 3	0			
Place of V	Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1	5.66		NESE	36	6N	21W	RAVALLI
Total:	5.66						

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211718-00 211719-00

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

#### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 18 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5113-00, 148167-00, 148169-00, 148170-00, 148218-00, 148219-00, 148220-00, 148221-00, 148223-00, 148224-00, 211718-00, 211719-00.

CLAIM FILED LATE 04/25/1986 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A HEADGATE AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

IT APPEARS THAT THE PRIMARY POINT OF DIVERSION SHOULD BE THE LOCATION WHERE THE REPULICAN DITCH DIVERTS FROM SKALKAHO CREEK IN THE NENENW SEC 7. T5N. R20W. RAVALLI COUNTY. .....

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 211719-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

- Owners: FLYING BS LLC 159 MAIN ST SHELBY, MT 59474
- \*Priority Date: JUNE 1, 1865

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 04/25/1986 . 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.

**Type of Historical Right: DECREED** 

Purpose(use): STOCK

*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE
	CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A
	DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT
	HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

\*Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SKALKAHO CREEK

Source Type: SURFACE WATER

DECEMBER 4, 2015 76H 211719-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> NENESW	<u>Sec</u> 6	<u>Twp</u> 5N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Period of Diversio	n: MAY 1 TO SE	EPTEMBER 3	0			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	NICOL-HAR1	LATERAL				
2		NWSWNW	8	5N	20W	RAVALLI
Period of Diversion	n: MAY 1 TO SE	EPTEMBER 3	0			
<b>Diversion Means:</b>	HEADGATE					
3 - SECONDARY	4	SESWSW	31	6N	20W	RAVALLI
Period of Diversio	n: MAY 1 TO SE	EPTEMBER 3	0			
<b>Diversion Means:</b>	HEADGATE					
4 - SECONDARY		SENESE	36	6N	21W	RAVALLI
Period of Diversio	n: MAY 1 TO SE	EPTEMBER 3	0			
<b>Diversion Means:</b>	HEADGATE					
Period of Use:	MAY 1 TO SE	EPTEMBER 3	0			
Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1		NESE	36	6N	21W	RAVALLI

#### Remarks:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

211718-00 211719-00

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

### THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 18 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 5113-00, 148167-00, 148169-00, 148170-00, 148218-00, 148219-00, 148220-00, 148221-00, 148223-00, 148224-00, 211718-00, 211719-00.

CLAIM FILED LATE 04/25/1986 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A HEADGATE AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

IT APPEARS THE PRIMARY POINT OF DIVERSION SHOULD BE THE LOCATION WHERE THE REPUBLICAN DITCH DIVERTS WATER FROM SKALKAHO CREEK IN THE NENENW SEC 7, T5N, R20W, RAVALLI COUNTY. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 211764-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: MAX F PORTER 685 N BURNT FORK RD STEVENSVILLE, MT 59870

> DEBBY M PORTER 685 N BURNT FORK RD STEVENSVILLE, MT 59870

Priority Date: MAY 20, 1935

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 07/24/1986 . 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.

Type of Historical Right: FILED

••	
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.25 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	3 - MODERATE
Maximum Acres:	39.65
Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF NORTH BURNT FORK CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 211764-00 Page 2 of 3

Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{1}$		<u>Govt Lot</u> 1	<u>Qtr Sec</u> F2NWNW	<u>Sec</u> 30	<u>Twp</u> 9N	<u>Rge</u> <u>County</u> 19W RAVALLI
1		•			91	1900 RAVALLI
Per	iod of Diversion	: MARCH 15 T	O OCTOBER	15		
Div	ersion Means:	HEADGATE				
Period of	f Use:	MARCH 15 T	O OCTOBER	15		
Place of	Use:					
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	39.65	1	NWNW	30	9N	19W RAVALLI
Total:	39.65					

#### **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.

211764-00 26929-00

.....

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 07/24/1986 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 04/03/2014 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY BYRON PORTER.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 211764-00 Page 3 of 3

> SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 211908-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	GEORGE E CUNNINGHAM 306 COLLEGE STEVENSVILLE, MT 59870
	SUSANNE A CUNNINGHAM 306 COLLEGE STEVENSVILLE, MT 59870
Priority Date:	NOVEMBER 26, 1904
Type of Historical Right	: FILED
Purpose(use):	LAWN AND GARDEN
Flow Rate:	17.95 GPM
Volume:	1.80 AC-FT
Maximum Acres:	0.90
Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER
Source Type:	SURFACE WATER
*Point of Diversion and	Means of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCounty1SESENE279N20WRAVALLI
Period of Diversion Diversion Means:	a: MARCH 15 TO OCTOBER 15 DRAIN DITCH
Period of Use:	MARCH 15 TO OCTOBER 15
*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 0.90 Subdivision:	1 SESENE 27 9N 20W RAVALLI STEVENSVILLE ORIGINAL TOWNSITE TRACT/LOT: 3,4,5,6,14,15 & 16 BLOCK: 24

DECEMBER 4, 2015 76H 211908-00 Page 2 of 2

\*Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
Total:	0.90					

#### **Remarks:**

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

### THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

76H 212018-00 STATEMENT OF CLAIM

Water Right Humber.				
	Version:	1 ORIGII	NAL RIGHT	
		Status:	WITHDRAWN	
Owners:	%BAILEY	OMER C TR JOHN D, TR N, MT 59840	USTEE	
Priority Date:				
Enforceable Price	ority Date:			
Type of Historical Right:				
Purpose (use):	IRRIGATIC	ON		
Flow Rate:				
Volume:				
Source Name:	GROUND	VATER		
Point of Diversion and Means of Diversion:				

Period of Use:

Water Right Number:

Place of Use:

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 08/27/1982.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 2120	23-00	STA	TEMENT OF CLAIM	
	Version:	1 OF	RIGIN	AL RIGHT	
		Status	:	WITHDRAWN	
Owners:	JULIA C E 705 SE 11		ERGE	ĒR	
	JAMESTC	WN, NE	5840	)1	
	JACOB B		ERGE	R	
	705 SE 11 JAMESTC		5840	)1	
Priority Date:					
Enforceable Pri	ority Date:				
Type of Historical Right	t:				
Purpose (use):	IRRIGATI	ON			
Flow Rate:					
Volume:					
Source Name:	COW CRE	EEK			
Point of Diversion and Means of Diversion:					
Period of Use:	Period of Use:				
Place of Use:					

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/25/1981.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 2120	24-00	STATEMENT OF CLAIM	
	Version:	1 ORI Status:	GINAL RIGHT WITHDRAWN	
Owners:	CAPP, JEF 4004 WILE STEVENS	DFOWL L	N	
Priority Date:				
Enforceable Prie	ority Date:			
Type of Historical Right	:			
Purpose (use):	STOCK			
Flow Rate:				
Volume:				
Source Name:	BITTERRC	DOT RIVE	R	
Point of Diversion and Means of Diversion:				
Period of Use:				
Place of Use:				

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 12/02/1981.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212025-00 STATEMENT OF CLAIM 1 -- ORIGINAL RIGHT Version: Status: WITHDRAWN ANNA L CHADWELL **Owners:** 710 VALERIA DR LAYTON. UT 84041 **Priority Date: Enforceable Priority Date: Type of Historical Right:** IRRIGATION **Purpose (use):** Flow Rate: Volume: UNNAMED TRIBUTARY OF SKALKAHO CREEK Source Name: Point of Diversion and Means of Diversion: **Period of Use:** Place of Use:

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 07/31/1981.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OTATEMENT OF OLAINA

Water Right Number:	76H 21202	26-00 ST	ATEMENT OF CLAIM
	Version:	1 ORIGI	INAL RIGHT
		Status:	WITHDRAWN
Owners:	VIA, BRENDA BABCOCK IRREVOCABLE TRUST %BRENDA BABCOCK VIA, TRUSTEE 20 ENCINO AVE CAMARILLO, CA 93010		
	%BRENDA 20 ENCINC	BABCOCK	OCK IRREVOCABLE TRUST #2 < VIA, TRUSTEE 10
Priority Date:			

7011 040000 00

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): DOMESTIC

Flow Rate:

Volume:

Source Name: GROUNDWATER

**Point of Diversion and Means of Diversion:** 

Period of Use:

Place of Use:

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 12/27/1981.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

### OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212031-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Late Claim: A

Owners: DARYL L FORD 2491 NE BIRCH CREEK RD CORVALLIS. MT 59828

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 09/27/1982.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212032-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

<b>Owners:</b>	KENNETH W GESKE
	PO BOX 483
	STEVENSVILLE, MT 59870

**Priority Date:** 

**Enforceable Priority Date:** 

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: BURNT FORK CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/22/1982.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212033-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

<b>Owners:</b>	KENNETH W GESKE
	PO BOX 483
	STEVENSVILLE, MT 59870

**Priority Date:** 

**Enforceable Priority Date:** 

Type of Historical Right:

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: BURNT FORK CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/22/1982.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212039-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

<b>Owners:</b>	CLAY RAAKA
	PO BOX 95
	WISE RIVER, MT 59762 0095

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): FISH RACEWAYS

Flow Rate:

Volume:

Source Name: BITTERROOT RIVER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 02/26/1980.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 21204	<b>10-00</b> STA	TEMENT OF CLAIM	
	Version:	1 ORIGII	NAL RIGHT	
		Status:	WITHDRAWN	
Owners:	CLAY RAA PO BOX 95		32 0005	
		-R, IVIT 5970	02 0095	
Priority Date:				
Enforceable Prio	ority Date:			
<b>Type of Historical Right</b>	:			
Purpose (use):	STOCK			
Flow Rate:				
Volume:				
Source Name:	BITTERRO	OT RIVER		
Point of Diversion and Means of Diversion:				
Period of Use:				

Place of Use:

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 02/26/1980.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212041-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

#### Status: WITHDRAWN

<b>Owners:</b>	CLAY RAAKA
	PO BOX 95
	WISE RIVER, MT 59762 0095

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: BITTERROOT RIVER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 02/26/1980.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212047-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

**Owners:** 

LOIS W MARKLE 521 4TH AVE S GLASGOW, MT 59230

ALICE HUXSOL 742 7TH AVE N GLASGOW, MT 59230

**Priority Date:** 

Enforceable Priority Date:

**Type of Historical Right:** 

Purpose (use): DOMESTIC

Flow Rate:

Volume:

Source Name: SKALKAHO CREEK

Point of Diversion and Means of Diversion:

**Period of Use:** 

Place of Use:

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 08/04/1981.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212051-00	STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

**Owners:** 

QUENTIN D NORGAARD PO BOX 10689 S STATION A ANCHORAGE, AK 99511

SUE B NORGAARD PO BOX 10689 S STATION A ANCHORAGE, AK 99511

**Priority Date:** 

Enforceable Priority Date:

**Type of Historical Right:** 

Purpose (use): MULTIPLE DOMESTIC

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

**Period of Use:** 

Place of Use:

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 07/13/1981.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212061-00 STATEMENT OF CLAIM	
	Version: 1 ORIGINAL RIGHT	
	Status: WITHDRAWN	
Owners:	GLEN W SCANLAND 1295 NORDHEIM LN CORVALLIS, MT 59828	
	LEONA A SCANLAND 1295 NORDHEIM LN CORVALLIS, MT 59828	
Priority Date:		
Enforceable Priority Date:		
Type of Historical Right	:	
Purpose (use):	STOCK	
Flow Rate:		
Volume:		
Source Name:	SPRING, UNNAMED TRIBUTARY OF HOLLORON GULCH	
Point of Diversion and N	Means of Diversion:	
Period of Use:		
Place of Use:		

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 11/10/1981.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212063-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

**Owners:** 

JOSHUA P LORDS 697 DRY GULCH RD STEVENSVILLE, MT 59870

AUSTIN J LORDS 697 DRY GULCH RD STEVENSVILLE, MT 59870

BRUCE S PARKS 723 DRY GULCH STEVENSVILLE, MT 59870 6044

AUSTIN K CROWLEY 1508 LINDSAY LN STEVENSVILLE, MT 59870 6046

ZTL MOUNTAIN VIEW PROPERTIES LLP 697 DRY GULCH RD STEVENSVILLE, MT 59870

BAILEY R TENNANT 723 DRY GULCH RD STEVENSVILLE, MT 59870

RONALD D LORDS JR 111 W 3RD ST STEVENSVILLE, MT 59870 2030

GARRET T TENNANT 723 DRY GULCH RD STEVENSVILLE, MT 59870

REBECKA LORDS 800 N BURNT FORK RD STEVENSVILLE, MT 59870 DECEMBER 4, 2015 76H 212063-00 Page 2 of 2

> JANICE WATERS 5019 LINDSAY LN STEVENSVILLE, MT 59870 6022

CAROL A ZEILER 45496 LOCUST LN MOIESE, MT 59824

JESSICA S CROWLEY 1508 LINDSAY LN STEVENSVILLE, MT 59870 6046

ROGER WATERS 5019 LINDSAY LN STEVENSVILLE, MT 59870 6022

JIMMIE LEE ZEILER 45496 LOCUST LN MOIESE, MT 59824

MICHELLE R PARKS 723 DRY GULCH STEVENSVILLE, MT 59870 6044

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use):IRRIGATIONFlow Rate:Volume:Volume:GROUNDWATERPoint of Diversion and Means of Diversion:

Period of Use:

Place of Use:

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 12/17/1981.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212064-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

**Owners:** 

JIMMIE LEE ZEILER 45496 LOCUST LN MOIESE, MT 59824

JANICE WATERS 5019 LINDSAY LN STEVENSVILLE, MT 59870 6022

BRUCE S PARKS 723 DRY GULCH STEVENSVILLE, MT 59870 6044

JOSHUA P LORDS 697 DRY GULCH RD STEVENSVILLE, MT 59870

BAILEY R TENNANT 723 DRY GULCH RD STEVENSVILLE, MT 59870

CAROL A ZEILER 45496 LOCUST LN MOIESE, MT 59824

RONALD D LORDS JR 111 W 3RD ST STEVENSVILLE, MT 59870 2030

REBECKA LORDS 800 N BURNT FORK RD STEVENSVILLE, MT 59870

ZTL MOUNTAIN VIEW PROPERTIES LLP 697 DRY GULCH RD STEVENSVILLE, MT 59870 DECEMBER 4, 2015 76H 212064-00 Page 2 of 2

> MICHELLE R PARKS 723 DRY GULCH STEVENSVILLE, MT 59870 6044

AUSTIN J LORDS 697 DRY GULCH RD STEVENSVILLE, MT 59870

GARRET T TENNANT 723 DRY GULCH RD STEVENSVILLE, MT 59870

ROGER WATERS 5019 LINDSAY LN STEVENSVILLE, MT 59870 6022

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use):STOCKFlow Rate:Volume:Source Name:GROUNDWATERPoint of Diversion and Means of Diversion:Period of Use:Place of Use:

#### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 12/17/1981.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212065-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

**Owners:** 

BAILEY R TENNANT 723 DRY GULCH RD STEVENSVILLE, MT 59870

JANICE WATERS 5019 LINDSAY LN STEVENSVILLE, MT 59870 6022

CAROL A ZEILER 45496 LOCUST LN MOIESE, MT 59824

BRUCE S PARKS 723 DRY GULCH STEVENSVILLE, MT 59870 6044

MICHELLE R PARKS 723 DRY GULCH STEVENSVILLE, MT 59870 6044

ROGER WATERS 5019 LINDSAY LN STEVENSVILLE, MT 59870 6022

REBECKA LORDS 800 N BURNT FORK RD STEVENSVILLE, MT 59870

JOSHUA P LORDS 697 DRY GULCH RD STEVENSVILLE, MT 59870

GARRET T TENNANT 723 DRY GULCH RD STEVENSVILLE, MT 59870 DECEMBER 4, 2015 76H 212065-00 Page 2 of 2

> ZTL MOUNTAIN VIEW PROPERTIES LLP 697 DRY GULCH RD STEVENSVILLE, MT 59870

AUSTIN J LORDS 697 DRY GULCH RD STEVENSVILLE, MT 59870

RONALD D LORDS JR 111 W 3RD ST STEVENSVILLE, MT 59870 2030

JIMMIE LEE ZEILER 45496 LOCUST LN MOIESE, MT 59824

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use):DOMESTICFlow Rate:Volume:Source Name:GROUNDWATERPoint of Diversion and Means of Diversion:Period of Use:Place of Use:

### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 12/17/1981.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 2120	6 <b>6-00</b> ST/	ATEMENT OF CLAIM			
	Version:	1 ORIGI	NAL RIGHT			
		Status:	WITHDRAWN			
Owners:	EMILY K SMITH 620 SKALKAHO HWY HAMILTON, MT 59840					
	GEORGE O SMITH ***DECEASED*** 620 SKALKAHO HWY HAMILTON, MT 59840					
Priority Date:						
Enforceable Price	ority Date:					
Type of Historical Right	• •					
Purpose (use):	DOMESTIC	C				
Flow Rate:						
Volume:						
Source Name:	GROUND	VATER				
Point of Diversion and N	<b>Means of Div</b>	ersion:				

Period of Use:

Place of Use:

### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/01/1980.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212068-00 STATEMENT OF CLAIM 1 -- ORIGINAL RIGHT Version: Status: WITHDRAWN ELIZABETH F SWIFT **Owners:** 236 ROSE LN HAMILTON. MT 59840 **Priority Date: Enforceable Priority Date: Type of Historical Right:** STOCK **Purpose (use):** Flow Rate: Volume: UNNAMED TRIBUTARY OF BITTERROOT RIVER Source Name: Point of Diversion and Means of Diversion: **Period of Use:** Place of Use:

### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 02/08/1982.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212071-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

**Owners:** 

LESTER I THOMPSON \*\*\*DECEASED\*\*\* 1200 S 1ST HAMILTON, MT 59840

FLORA G THOMPSON \*\*\*DECEASED\*\*\* 1200 S 1ST HAMILTON, MT 59840

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 08/25/1981.

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE **SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

### **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Num	ber: 76H 21207	72-00 STATE	MENT	OF CL	AIM	
	Version:	1 ORIGINAL	RIGH	IT		
		Status: A	CTIVE	E		
Owners:		TINTZMAN /ILLOW CREEK S, MT 59828	( RD			
*Priority Date:	JUNE 1, 18	360				
Type of Historical	Right: DECREED					
Purpose(use):	IRRIGATIC	N				
Irrigation '	Type: SPRINKLE	R/FLOOD				
Flow Rate:	168.30 GP	Μ				
*Volume:		L VOLUME OF PUT TO HISTOF				T SHALL NOT EXCEED THE CIAL USE.
Climatic	Area: 3 - MODEF	RATE				
Maximum Acres:	70.00					
Source Name:	WILLOW (	CREEK				
Source Type:	SURF	ACE WATER				
Point of Diversion	and Means of Div	ersion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> SESWNE	<u>Sec</u> 7	<u>Тwp</u> 6N		<u>County</u> RAVALLI
*Period of Div Diversion Me	ersion: MAY 1 TO ans: HEADGAT					
Period of Use:	MAY 1 TO	OCTOBER 30				
Place of Use:						
<u>ID</u> <u>Acr</u>	es <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1 40.	00 1	NWNW	7	6N	19W	RAVALLI
2 30.	2	SWNW	7	6N	19W	RAVALLI
<b>Total:</b> 70.	00					

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

212072-00 212073-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/30/2015: POINT OF DIVERSION, PLACE OF USE, TOTAL ACRES, FLOW RATE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

AN AMENDMENT WAS SUBMITTED ON 02/12/1992 REQUESTING TO AMEND THE POINT OF DIVERSION, PLACE OF USE, FLOW RATE AND PRIORITY DATE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 30 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 1068-00, 120054-00, 212072-00, 212073-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/03/2015 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY BRET AND DORIS TINTZMAN.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 21207	3-00 STATE	MENT	OF CL	AIM	
	Version:	1 ORIGINAL	RIGH	IT		
		Status: A	CTIVE			
Owners:		INTZMAN ILLOW CREEF 3, MT 59828	( RD			
*Priority Date:	JUNE 1, 18	60				
Type of Historical Right	t: DECREED					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	OF STOCK DE	rinkin Ow r	NG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT HIS PURPOSE.
*Volume:	STOCK WA ANIMAL UN	TERING PURI	POSES	S AT TH SHALL E	IE RAT BE BAS	ATER CONSUMPTIVELY USED FOR TE OF 30 GALLONS PER DAY PER SED ON REASONABLE CARRYING REA SERVICED BY THIS WATER
Source Name:	WILLOW C	REEK				
Source Type:	SURF	ACE WATER				
*Point of Diversion and	Means of Dive	rsion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> SWNWNW	<u>Sec</u> 7	<u>Twp</u> 6N		<u>County</u> RAVALLI
Period of Diversion	n: JANUARY	1 TO DECEMB	ER 31			
<b>Diversion Means:</b>	LIVESTOC	K DIRECT FRO	DM SC	URCE		
Period of Use:	JANUARY 1	TO DECEMB	ER 31			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1		SWNWNW	7	6N	19W	RAVALLI

### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

212072-00 212073-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 30 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 1068-00, 120054-00, 212072-00, 212073-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 2120	74-00	STATEMENT OF CLAIM			
	Version: 1 OR		RIGINAL RIGHT			
		Status	s: WITHDRAWN			
Owners:	4545 TRIF	/ID A TRIPP 5 TRIPP LN VENSVILLE, MT 59870				
	DIANE M TRIPP 4545 TRIPP I N					

STEVENSVILLE, MT 59870

Priority Date:

Enforceable Priority Date:

**Type of Historical Right:** 

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: THREEMILE CREEK

Point of Diversion and Means of Diversion:

**Period of Use:** 

Place of Use:

### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/18/1982.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212075-00	STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

**Owners:** 

DAVID A TRIPP 4545 TRIPP LN STEVENSVILLE, MT 59870

DIANE M TRIPP 4545 TRIPP LN STEVENSVILLE, MT 59870

**Priority Date:** 

Enforceable Priority Date:

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: THREEMILE CREEK

Point of Diversion and Means of Diversion:

**Period of Use:** 

Place of Use:

### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/18/1982.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 2120	076-00	STATEMENT OF CLAIM
	Version:	1 O	RIGINAL RIGHT
		Status	: WITHDRAWN

**Owners:** 

CATHERINE H HELLER \*\*\*DECEASED\*\*\* 331 COOPER LN HAMILTON, MT 59840 3327

EDWIN E HELLER 331 COOPER LN HAMILTON, MT 59840 3327

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): DOMESTIC

Flow Rate:

Volume:

Source Name: GROUNDWATER

**Point of Diversion and Means of Diversion:** 

**Period of Use:** 

Place of Use:

### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/23/1981.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 2120	79-00	STA	TEMENT OF CLAIM
	Version:	1 0	RIGIN	IAL RIGHT
		Status	5:	WITHDRAWN
Owners:	BARBARA SE 1117 S HAMILTOI	KALKA	HO R	D
	TREVELY SE 1117 S HAMILTOI	KALKA	HO R	
Priority Date:				
Enforceable Pri	ority Date:			
Type of Historical Right	t:			
Purpose (use):	DOMESTI	С		
Flow Rate:				
Volume:				
Source Name:	GROUND	WATER	1	
Point of Diversion and I	Means of Div	ersion:		
Period of Use:				
Place of Use:				

### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/20/1981.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212087-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners: FRANK J WELTON PO BOX 168 HAMILTON, MT 59840

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: SLEEPING CHILD CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/03/1982.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212090-00		STATEMENT OF CLAI			
	Version: 1 O		RIGIN	AL RIGHT		
		Status	s:	WITHDRAWN		
Owners:	GLORIA J 1797 WES CASA GR	ST 28TH	AVE	SPACE 262 230		

----

PHILLIP P WOODS 146 MEADOW LN VICTOR, MT 59875 9649

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): MULTIPLE DOMESTIC

**Flow Rate:** 

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

**Period of Use:** 

Place of Use:

### **Remarks:**

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 02/10/1982.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212304-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

CHARLES W FITZPATRICK 3539 HOLLY LN STEVENSVILLE, MT 59870

> VICKI L FITZPATRICK 3539 HOLLY LN STEVENSVILLE, MT 59870

Priority Date: JUNE 1, 1858

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 04/25/1988 . 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.

Type of Historical Right: DECREED

Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	49.09 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 3 - MODERATE
Maximum Acres:	3.00
*Source Name:	ROBERTSON CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 212304-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> SWNWNW	<u>Sec</u> 36	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Peri	od of Diversion:		• • • • • • • • • • • • • • • • • • • •				
Dive	ersion Means:	HEADGATE					
Ditc	h Name:	BROWN-TAN	IGMO-HAUPT	r ditc	CH (HEA	ADGAT	E 92A)
2 - SE(	CONDARY		SWNENE	35	9N	20W	RAVALLI
Peri	od of Diversion:	APRIL 1 TO C	OCTOBER 15				
Dive	ersion Means:	HEADGATE					
			EK WHICH IS	S USE	ED AS A	NATU	EEK IS CONVEYED TO SOUTH IRAL CARRIER TO SECONDARY 0. 2.
Period of	Use:	APRIL 1 TO C	CTOBER 15				
Place of 1	Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1	1.50		SWNENW	35	9N	20W	RAVALLI
2	1.50		NWSENW	35	9N	20W	RAVALLI
Total:	3.00						

#### 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.

212304-00 212305-00 212306-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 100 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 2083-00, 3584-00, 9789-00, 9790-00, 49036-00, 111285-00, 116701-00, 116702-00, 116721-00, 116722-00, 131642-00, 131643-00, 150081-00, 150082-00, 151023-00, 151610-00, 212304-00.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 04/25/1988 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 178.00 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212305-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

CHARLES W FITZPATRICK 3539 HOLLY LN STEVENSVILLE, MT 59870

> VICKI L FITZPATRICK 3539 HOLLY LN STEVENSVILLE, MT 59870

Priority Date: MAY 15, 1881

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 04/25/1988 . 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.

Type of Historical Right: DECREED

Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	392.70 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	3 - MODERATE
Maximum Acres:	3.00
Source Name:	SOUTH SWAMP CREEK

Source Type: SURFACE WATER

DECEMBER 4, 2015 76H 212305-00 Page 2 of 3

#### Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NESWNW	<u>Sec</u> 36	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Peri	od of Diversion	: APRIL 1 TO	OCTOBER 15	5			
Dive	rsion Means:	HEADGATE					
Ditcl	n Name:	BROWN-TAN	NGMO DITCH	(HEA	DGATE	E 118)	
Period of	Use:	APRIL 1 TO OCTOBER 15					
Place of U	Jse:						
ID	Acres	Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	1.50		SWNENW	35	9N	20W	RAVALLI
2	1.50		NWSENW	35	9N	20W	RAVALLI
Total:	3.00						

#### 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.

212304-00 212305-00 212306-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00. THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 131.00 GPM PER ACRE.

CLAIM FILED LATE 04/25/1988 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 178.00 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 212305-00 Page 3 of 3

THE

# PRELIMINARY DECREE MAINSTEM BITTERROOT RIVER AND EAST SIDE SUBBASIN 76HA ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212306-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

CHARLES W FITZPATRICK 3539 HOLLY LN STEVENSVILLE, MT 59870

> VICKI L FITZPATRICK 3539 HOLLY LN STEVENSVILLE, MT 59870

Priority Date: JULY 1, 1875

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 04/25/1988 . 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.

Type of Historical Right: DECREED

Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	93.50 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	3 - MODERATE
Maximum Acres:	3.00
Source Name:	SOUTH SWAMP CREEK
Source Type:	SURFACE WATER

DECEMBER 4, 2015 76H 212306-00 Page 2 of 3

#### Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NESWNW	<u>Sec</u> 36	<u>Twp</u> 9N	<u>Rge</u> 20W	<u>County</u> RAVALLI
Peri	od of Diversion	: APRIL 1 TO	OCTOBER 15	5			
Dive	rsion Means:	HEADGATE					
Ditcl	n Name:	BROWN-TAN	NGMO DITCH	(HEA	DGATE	E 118)	
Period of	Use:	APRIL 1 TO OCTOBER 15					
Place of U	Jse:						
ID	Acres	Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	1.50		SWNENW	35	9N	20W	RAVALLI
2	1.50		NWSENW	35	9N	20W	RAVALLI
Total:	3.00						

### 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.

212304-00 212305-00 212306-00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00. THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 31.00 GPM PER ACRE.

CLAIM FILED LATE 04/25/1988 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 178.00 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 212306-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212587-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

ROBERT REED

**Owners:** 

PO BOX 81 STEVENSVILLE, MT 59870

BETTY D REED PO BOX 81 STEVENSVILLE, MT 59870

\*Priority Date: JUNE 1, 1866

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 08/23/1988 . 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.

Type of Historical Right: DECREED

Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	112.20 GPM
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	3 - MODERATE
Maximum Acres:	10.00
Source Name:	NORTH SWAMP CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS SAPIEL CREEK

DECEMBER 4, 2015 76H 212587-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID		Govt Lot	Qtr Sec	<u>Sec</u>	Twp	Rge	<u>County</u>
1			SWNENW	31	9N	19W	RAVALLI
Peri	iod of Diversion	: MARCH 15 TO	O OCTOBER	15			
Dive	ersion Means:	HEADGATE					
Ditc	h Name:	MCLAREN DI	TCH (HEADO	GATE	70)		
2 - SE	CONDARY		NWSENE	36	9N	20W	RAVALLI
Peri	iod of Diversion	MARCH 15 TO	O OCTOBER	15			
Dive	ersion Means:	HEADGATE					
Ditc	h Name:	DEXTER DIT	CH (HEADGA	ATE 9	0)		
			CREEK WH	IICH I	S USED	AS A	CREEK IS CONVEYED TO NATURAL CARRIER TO SECONDARY ). 2.
Period of	f Use:	MARCH 15 TO	OCTOBER	15			
Place of	Use:						
ID	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1	10.00		SENWNE	36	9N	20W	RAVALLI

#### **Remarks:**

Total:

10.00

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 08/23/1988 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 212587-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 212937-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

- Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698
- \*Priority Date: APRIL 7, 1923

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 11/10/1988 . 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.

Type of Historical Right: FILED

Purpose(use):	IRRIGATION
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Irrigation Type:	CONTROLLED SUBIRRIGATION
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SUBIRRIGATION CONTROLLED BY CHECK DAM LOCATED ON DRAIN DITCH.

Flow Rate: 280.50 GPM

**\*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: 20.00

- Source Name: SUBIRRIGATION, CRYSTAL SPRING
- Source Type: GROUNDWATER

DECEMBER 4, 2015 76H 212937-00 Page 2 of 3

Point of Diversion and Means of Diversion:										
<u>ID</u>		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge County				
1			SENWNW 29			20W RAVALL	I			
Peri	od of Diversion	: APRIL 1 TO	NOVEMBER	1						
Diversion Means: SUBIRRIGATION										
Period of	Period of Use: APRIL 1 TO NOVEMBER 1									
*Place of U	Use:									
ID	Acres	Govt Lot	<b><u>Qtr Sec</u></b>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>				
1	5.00		NENW	29	7N	20W RAVALL	I			
2	15.00		NWNW	29	7N	20W RAVALL	I			
Total:	20.00									

### **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.

212937-00 214188-00 214189-00 214191-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

212937-00 212938-00 214197-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/26/1990: PURPOSE, POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, FLOW RATE, VOLUME, PERIOD OF USE, PRIORITY DATE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE AMENDMENT RECEIVED 11/23/1999 WAS NOT IMPLEMENTED DUE TO LACK OF DOCUMENTATION.

THE CLAIMED MEANS OF DIVERSION CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

CLAIM FILED LATE 11/10/1988 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE CLAIMED PURPOSE (USE) CANNOT BE CONFIRMED DUE TO LACK OF DATA.

ACCORDING TO INFORMATION IN THE CLAIM FILE, THE RESERVOIR WAS CONSTRUCTED IN 1977 WHICH DOES NOT CORRESPOND TO THE CLAIMED PRIORITY DATE. THIS MAY INDICATE AN EXPANSION OF THE WATER RIGHT. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 212938-0	00 STATE	MENT	OF CL	AIM	
	Version: 1	ORIGINAL	RIGH	Т		
	St	atus: A	CTIVE			
Owners:	SUSAN Y JOI PO BOX 698 CORVALLIS,		698			
Priority Date:	APRIL 7, 1923	3				
Type of Historical Right	: FILED					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS O DITCH SYSTE	F STOCK DF EM. THE FLO	RINKIN OW R	IG DIRI ATE IS	ECTLY LIMITE	ECREED BECAUSE THIS USE FROM THE SOURCE, OR FROM A ED TO THE MINIMUM AMOUNT THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	CRYSTAL SP	RING				
Source Type:	SURFAC	E WATER				
*Point of Diversion and I	Means of Diversi	ion:				
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> SENWNW	<u>Sec</u> 29	<u>Twp</u> 7N		<u>County</u> RAVALLI
Period of Diversion						
<b>Diversion Means:</b>	LIVESTOCK			URCE		
Period of Use:	JANUARY 1 T	O DECEMBI	ER 31			
*Place of Use:						
<u>ID</u> <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1		SENWNW	29	7N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

212937-00 212938-00 214197-00

CLAIM FILED 11/10/1988 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE CLAIMED PURPOSE (USE) CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 214010-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

G O D HUBERTY LLC 435 SW SKYLINE DR PULLMAN, WA 99163 2766

PEGGY TREXLER 455 COACH LN HAMILTON, MT 59840

LARRY TREXLER 455 COACH LN HAMILTON, MT 59840

BURNING DAYLIGHT RANCH LLC 402 FISH HATCHERY RD HAMILTON, MT 59840 9021

Priority Date: JULY 1, 1925

Enforceable Priority Date: JUNE 30, 1973

STOCK

CLAIM FILED LATE 05/23/1989 . 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.

Type of Historical Right: USE

**Purpose(use):** 

\*Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.

DECEMBER 4, 2015 76H 214010-00							Decree Report - Page 6
Page 2 of 3							
*Volume:	STOCK WATERI ANIMAL UNIT. AI	NG PURF NIMAL UN		S AT TH SHALL	HE RAT	ATER CONSUMPTIN E OF 30 GALLONS SED ON REASONAE REA SERVICED BY	PER DAY PER BLE CARRYING
*Source Name:	SPRING, UNNAM		BUTAF	RY OF	SNAKE	CREEK	
Source Type:	Source Type: SURFACE WATER						
*Point of Diversion and N	Ieans of Diversion:						
<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> SENW	<u>Sec</u> 9	<u>Twp</u> 5N		<u>County</u> RAVALLI	
Period of Diversion	OCTOBER 15 TO	O APRIL 3	30				
<b>Diversion Means:</b>	DITCH						
Period of Use:	OCTOBER 15 TO	) APRIL 3	0				
Place of Use:							
ID <u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>	
1		SWNE	5	5N	20W	RAVALLI	
_			_				

6931

3	NESE	5	5N	20W	RAVALLI
4	NWSE	5	5N	20W	RAVALLI

### **Remarks:**

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 05/23/1989 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 214010-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214030-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Late Claim: B

**Owners:** 

DONALD C RAYMOND JR 4379 US HWY 93 S DARBY, MT 59829

AUDREY C RAYMOND 4379 US HWY 93 S DARBY, MT 59829

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: BITTERROOT RIVER

**Point of Diversion and Means of Diversion:** 

Period of Use:

Place of Use:

### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/11/1991.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214121-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

BRET TINTZMAN 1421 WILLOW CREEK RD CORVALLIS, MT 59828

DORIS G TINTZMAN 1421 WILLOW CREEK RD CORVALLIS, MT 59828

Priority Date: APRIL 1, 1960

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 04/21/1992 . 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.

Type of Historical Right: USE

Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.00 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	: 3 - MODERATE
Maximum Acres:	40.00
Source Name:	WILLOW CREEK
Source Type:	SURFACE WATER

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**Point of Diversion and Means of Diversion:** 

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> SESWNE	<u>Sec</u> 7	<u>Twp</u> 6N	<u>Rge</u> <u>County</u> 19W RAVALLI
Peri	od of Diversion	: MARCH 1 TO	NOVEMBER	R 30		
Dive	ersion Means:	HEADGATE				
Ditc	h Name:	RASMUSSEN	DITCH			
Period of	Use:	MARCH 1 TO	NOVEMBER	30		
Place of	Use:					
<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	Sec	Twp	<u>Rge</u> <u>County</u>
1	30.00		SESE	1	6N	20W RAVALLI
2	10.00		E2SWSE	1	6N	20W RAVALLI
Total:	40.00					

#### 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.

214121-00 216243-00 98-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/06/1996: FLOW RATE, PRIORITY DATE, PERIOD OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 06/14/1999.

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 04/21/1992 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON WILLOW CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 931 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214122-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Late Claim: B

**Owners:** 

DORIS G TINTZMAN 1421 WILLOW CREEK RD CORVALLIS, MT 59828

BRET TINTZMAN 1421 WILLOW CREEK RD CORVALLIS, MT 59828

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: WILLOW CREEK

**Point of Diversion and Means of Diversion:** 

Period of Use:

Place of Use:

#### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 12/06/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214147-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: STEVENSVILLE, TOWN OF PO BOX 30 STEVENSVILLE, MT 59870

Priority Date: JUNE 1, 1875

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 05/23/1990 . 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.

**Type of Historical Right: DECREED** 

Purpose(use):	MUNICIPAL
Flow Rate:	2.50 CFS
Volume:	1,120.00 AC-FT
*Source Name:	BURNT FORK CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS MILL CREEK.

*Poir	oint of Diversion and Means of Diversion:							
ID	<u>)</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>	
1			SWNESW	3	8N	19W	RAVALLI	
	Period of Diversion:	JANUARY 1	TO DECEMB	ER 31				
	<b>Diversion Means:</b>	HEADGATE						
2			SENENW	31	9N	19W	RAVALLI	
	Period of Diversion: JANUARY 1 TO DECEMBER 31							
	<b>Diversion Means:</b>	HEADGATE						
	Ditch Name:	UNNAMED D	ITCH (HEAD	GATE	46)			

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Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1			W2	26	9N	20W	RAVALLI
2				27	9N	20W	RAVALLI

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/16/1990: SOURCE, POINT OF DIVERSION, FLOW RATE, VOLUME, PERIOD OF USE, PLACE OF USE, MEANS OF DIVERSION.

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

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL 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. 214147-00, 214149-00, 214634-00, 214635-00, 214649-00.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 05/23/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 2141	148-00 STATEMENT OF CLA					
	Version:	1 ORI	GINAL RIGHT				
		Status:	WITHDRAWN				
	Late Claim	1: B					
Owners:	STEVENSVILLE, TOWN OF PO BOX 30 STEVENSVILLE, MT 59870						
Priority Date:							
Enforceable Prie	ority Date:						
Type of Historical Right	t <b>:</b>						
Purpose (use):	MUNICIPA	L					
Flow Rate:							
Volume:							
Source Name:	NORTH S	WAMP CF	REEK				
Point of Diversion and I	Means of Div	ersion:					
Period of Use:							
Place of Use:							

### Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/11/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214149-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: STEVENSVILLE, TOWN OF PO BOX 30 STEVENSVILLE, MT 59870

**\*Priority Date:** JULY 1, 1852

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 05/23/1990 . 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.

**Type of Historical Right: DECREED** 

Purpose(use):	MUNICIPAL
Flow Rate:	1.25 CFS
Volume:	900.00 AC-FT
*Source Name:	BURNT FORK CREEK

Source Type: SURFACE WATER

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>	
1		SWNESW	3	8N	19W	RAVALLI	
*Period of Diversion	*Period of Diversion: JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b>	HEADGATE						
2		SENENW	31	9N	19W	RAVALLI	
Period of Diversion: JANUARY 1 TO DECEMBER 31							
<b>Diversion Means:</b>	HEADGATE						
Ditch Name:	UNNAMED D	UNNAMED DITCH (HEADGATE 46)					
Period of Use:	JANUARY 1	TO DECEMBE	ER 31				

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1			W2	26	9N	20W	RAVALLI
2				27	9N	20W	RAVALLI

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/16/1990: SOURCE, POINT OF DIVERSION, FLOW RATE, VOLUME, PERIOD OF USE, PLACE OF USE, MEANS OF DIVERSION.

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

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL 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. 214147-00, 214149-00, 214634-00, 214635-00, 214649-00.

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 512 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 3250, 25726, 25750, 50560-00, 50570-00, 104536, 104544, 104546, 104959, 104960, 105006, 107664, 107665, 119948, 128517, 128519, 147922, 150065, 150969, 151736, 151740, 214149, 214379.

CLAIM FILED LATE 05/23/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214159-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: BRYAN D MOSLEY 2328 SADDLEBACK DR CASTLE ROCK, CO 80104 7416

Priority Date: JUNE 1, 1859

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/25/1990 . 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.

**Type of Historical Right: DECREED** 

Purpose(use):	RRIGATION
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Irrigation Type: FLOOD

Flow Rate: 44.88 GPM

**\*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: 8.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		NWSWNE	9	6N	19W	RAVALLI
Period of Diversion	: MARCH 15 T	O OCTOBER	15			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	WILLOW CR	EEK HIGH DI	TCH			

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Period of Use: MARCH 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	8.00		SESENW	18	6N	19W	RAVALLI
Total:	8.00						

#### 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.

214159-00 214160-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 120 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 98-00, 40344-00, 148090-00, 148091-00, 151499-00, 151619-00, 214159-00.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 06/25/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 214160-00	STATEMENT OF CLAIM
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Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: BRYAN D MOSLEY 2328 SADDLEBACK DR CASTLE ROCK. CO 80104 7416

Priority Date: JUNE 1, 1860

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/25/1990 . 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.

**Type of Historical Right: DECREED** 

Purpose(use):	IRRIGATION
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Irrigation Type: FLOOD

Flow Rate: 22.44 GPM

**\*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: 8.00

Source Name: WILLOW CREEK Source Type: SURFACE WATER

source type.

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1		NWSWNE	9	6N	19W	RAVALLI
Period of Diversion: MARCH 15 TO OCTOBER 15						
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	WILLOW CR	EEK HIGH DI	TCH			

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Period of Use: MARCH 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	8.00		SESENW	18	6N	19W	RAVALLI
Total:	8.00						

#### 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.

214159-00 214160-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 06/25/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214187-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698

Priority Date: JUNE 1, 1866

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

Type of Historical Right: DECREED

Purpose(use):	IRRIGATION
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Irrigation Type:	FLOOD
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Flow Rate: 1.50 CFS

**\*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: 41.60

Source Name:	<b>BITTERROOT RIVER</b>
Source Type:	SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1		NESESW	31	7N	20W	RAVALLI
Period of Diversion: APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b>	HEADGATE					

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Period of Use: APRIL 1 TO NOVEMBER 1

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	9.45		W2NESW	29	7N	20W	RAVALLI
2	32.15		NWSW	29	7N	20W	RAVALLI
Total:	41.60						

#### 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.

214187-00 214190-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

214187-00 214192-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/23/1999: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/10/2014 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STAN AND LEILA BARTEL.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214188-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698

Priority Date: JUNE 1, 1866

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

Type of Historical Right: DECREED

- Purpose(use): IRRIGATION
- Irrigation Type: FLOOD
- Flow Rate: 392.70 GPM
- **\*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: 35.00

Source Name: BITTERROOT RIVER Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1		NESESW	31	7N	20W	RAVALLI
Period of Diversion: APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b>	HEADGATE					

DECEMBER 4, 2015 76H 214188-00 Page 2 of 3

Period of Use: APRIL 1 TO NOVEMBER 1

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>(</u>	<u> Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	35.00		1	NENW	29	7N	20W	RAVALLI
Total:	35.00							

#### **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.

212937-00 214188-00 214189-00 214191-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

214188-00 214193-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/23/1999.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214189-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698

Priority Date: APRIL 1, 1890

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

Type of Historical Right: DECREED

Purpose(use):	IRRIGATION
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Irrigation Type:	FLOOD
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Flow Rate: 3.00 CFS

**\*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: 85.00

Source Name:	BITTERROOT RIVER
Source Type:	SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		NESESW	31	7N	20W	RAVALLI
Period of Diversion:	APRIL 1 TO N	IOVEMBER <sup>·</sup>	1			
<b>Diversion Means:</b>	HEADGATE					

DECEMBER 4, 2015 76H 214189-00 Page 2 of 3

Period of Use: APRIL 1 TO NOVEMBER 1

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	35.00		NENW	29	7N	20W	RAVALLI
2	20.00		NWNW	29	7N	20W	RAVALLI
3	30.00		SWNW	29	7N	20W	RAVALLI
Total:	85.00						

#### 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.

212937-00 214188-00 214189-00 214191-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

214189-00 214194-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/23/1999: POINT OF DIVERSION, FLOW RATE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

DECEMBER 4, 2015 76H 214189-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214190-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698

Priority Date: AUGUST 1, 1919

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

Type of Historical Right: FILED

Purpose(use):	IRRIGATION
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Irrigation Type: FLOOD

Flow Rate: 1.50 CFS

**\*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: 41.60

Source Name: WILLOW CREEK Source Type: SURFACE WATER

\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		SESESE	30	7N	20W	RAVALLI
Period of Diversion	n: APRIL 1 TO N	IOVEMBER <sup>·</sup>	1			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	QUAST-WOR	DEN DITCH				

DECEMBER 4, 2015 76H 214190-00 Page 2 of 3

Period of Use: APRIL 1 TO NOVEMBER 1

#### Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	9.45		W2NESW	29	7N	20W	RAVALLI
2	32.15		NWSW	29	7N	20W	RAVALLI
Total:	41.60						

#### 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.

214187-00 214190-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

214190-00 214195-00

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/23/1999: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON WILLOW CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 931 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

DECEMBER 4, 2015 76H 214190-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214191-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698

Priority Date: JULY 26, 1926

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

Type of Historical Right: FILED

Purpose(use):	IRRIGATION
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Irrigation Type:	SPRINKLER/FLOOD
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Flow Rate: 3.00 CFS

**\*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: 85.00

Source Name: WILLOW CREEK Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		SESESE	30	7N	20W	RAVALLI
Period of Diversion	: APRIL 1 TO NO	OVEMBER '	1			
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	QUAST-WORD	DEN DITCH				

DECEMBER 4, 2015 76H 214191-00 Page 2 of 3

Period of Use: APRIL 1 TO NOVEMBER 1

#### Place of Use:

ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	35.00		NENW	29	7N	20W	RAVALLI
2	50.00		W2NW	29	7N	20W	RAVALLI
Total:	85.00						

#### 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.

212937-00 214188-00 214189-00 214191-00

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

214191-00 78915-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

214191-00 214196-00

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/23/1999: POINT OF DIVERSION, MAXIMUM ACRES.

THE IRRIGATION TYPE WAS AMENDED BY THE CLAIMANT ON 09/07/1999.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON WILLOW CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 931 , RAVALLI COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214192-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

- Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698
- Priority Date: JUNE 1, 1866

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

**Type of Historical Right: DECREED** 

Purpose(use): STOCK

*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE
	CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A
	DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT
	HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.

\*Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BITTERROOT RIVER

Source Type: SURFACE WATER

DECEMBER 4, 2015 76H 214192-00 Page 2 of 3

**Point of Diversion and Means of Diversion:** 

ID		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			NESESW	31	7N	20W	RAVALLI
Period of ]	Diversion	: JANUARY 1 T	O DECEMB	ER 31			
<b>Diversion Means:</b>		HEADGATE					
Period of Use:		JANUARY 1 T	O DECEMBE	ER 31			
Place of Use:							
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			NENESE	30	7N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

214187-00 214192-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/23/1999.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 214187-00.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

DECEMBER 4, 2015 76H 214192-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214193-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

- Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698
- Priority Date: JUNE 1, 1866

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

**Type of Historical Right: DECREED** 

Purpose(use): STOCK

- \*Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.
- \*Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BITTERROOT RIVER

Source Type: SURFACE WATER

DECEMBER 4, 2015 76H 214193-00 Page 2 of 3

**Point of Diversion and Means of Diversion:** 

ID	Govt Lot	<b>Qtr Sec</b>	Sec	Twp	<u>Rge</u> <u>County</u>
1		NESESW	31	7N	20W RAVALLI
Period of Diversion: JANUARY 1 TO DECEMBER 31					
<b>Diversion Mea</b>	ans: HEADGATE				
Period of Use:	JANUARY 1 TC	DECEMBE	ER 31		
Place of Use:					
<u>ID</u> <u>Acr</u>	es <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1		NENW	29	7N	20W RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

214188-00 214193-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/23/1999.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 214188-OO.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

DECEMBER 4, 2015 76H 214193-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214194-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

- Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698
- Priority Date: APRIL 1, 1890

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

**Type of Historical Right: DECREED** 

Purpose(use): STOCK

*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE
	CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A
	DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT
	HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.

\*Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BITTERROOT RIVER

Source Type: SURFACE WATER

DECEMBER 4, 2015 76H 214194-00 Page 2 of 3

**Point of Diversion and Means of Diversion:** 

ID		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			NESESW	31	7N	20W	RAVALLI
Period of Diversion: JANUARY 1 TO DECEMBER 31							
Diversio	n Means:	HEADGATE					
Period of Use	:	JANUARY 1 TO	D DECEMBE	ER 31			
*Place of Use:							
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1			NENW	29	7N	20W	RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

214189-00 214194-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/23/1999: POINT OF DIVERSION, FLOW RATE.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 214189-00.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

DECEMBER 4, 2015 76H 214194-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214195-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

- Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698
- Priority Date: AUGUST 1, 1919

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

Type of Historical Right: FILED

Purpose(use): STOCK

- \*Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.
- \*Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

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> Point of Diversion and Means of Diversion: ID Govt Lot Qtr Sec Twp **Rge** County Sec 1 SESESE 30 7N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 HEADGATE **Diversion Means:** QUAST-WORDEN DITCH **Ditch Name: JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: **Rge** County ID Govt Lot Qtr Sec Twp Acres Sec 1 N2SW 29 7N 20W RAVALLI

#### Remarks:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

214190-00 214195-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/23/1999: POINT OF DIVERSION, PLACE OF USE.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 214190-00.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 214195-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214196-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

- Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698
- Priority Date: JULY 27, 1926

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

Type of Historical Right: FILED

Purpose(use): STOCK

- \*Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSASRY TO SUSTAIN THIS PURPOSE.
- \*Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

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> Point of Diversion and Means of Diversion: ID Govt Lot Qtr Sec Twp **Rge** County Sec 1 SESESE 30 7N 20W RAVALLI Period of Diversion: JANUARY 1 TO DECEMBER 31 **Diversion Means:** HEADGATE QUAST-WORDEN DITCH **Ditch Name: JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: T<u>wp</u> ID Govt Lot Qtr Sec **Rge** County Acres Sec 1 W2NW 29 7N 20W RAVALLI

#### **Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

214191-00 214196-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/23/1999: POINT OF DIVERSION, MEANS OF DIVERSION.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 214191-00.

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 214196-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214197-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: SUSAN Y JONES PO BOX 698 CORVALLIS. MT 59828 0698

Priority Date: APRIL 7, 1923

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/26/1990 . 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.

**Type of Historical Right: FILED** 

Purpose(use):	FISH AND WILDLIFE
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	1,613.00 AC-FT
	THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.
Source Name:	CRYSTAL SPRING
Source Type:	SURFACE WATER
Point of Diversion an	d Means of Diversion:
ID	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>
1	SENWNW 29 7N 20W RAVALLI

\*Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: INLAKE DECEMBER 4, 2015 76H 214197-00 Page 2 of 3

> **ONSTREAM Reservoir: Govt Lot** Otr Sec Sec Twp Rge County SENWNW 29 20W RAVALLI 7N **DIVERSION #1 Diversion to Reservoir: JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Acres Govt Lot Qtr Sec Sec Twp Rge County 1 N2NW 29 7N 20W RAVALLI

#### Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

212937-00 212938-00 214197-00

THE PURPOSE WAS AMENDED BY THE CLAIMANT ON 11/25/2007.

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE AMENDMENT RECEIVED ON 11/23/1999 WAS NOT IMPLEMENTED DUE TO THE POSSIBLE POST 1973 EXPANSION OF THE RIGHT .

CLAIM FILED LATE 09/26/1990 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

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 WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE CONFIRMED WITH AVAILABLE DATA.

ACCORDING TO INFORMATION IN THE CLAIM FILE, THE RESERVOIR WAS ENLARGED IN 1977 . THIS MAY INDICATE AN EXPANSION OF THE WATER RIGHT.

THE RESERVOIR IS NOT SHOWN IN THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958). IT APPEARS TO HAVE BEEN BUILT AFTER THE ORIGINAL APPROPRIATION AND MAY INDICATE AN EXPANSION OF THE WATER RIGHT.

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214337-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

RUSSEL GIESE 1155 PARK LN STEVENSVILLE, MT 59870 6351

LYNNE H GIESE 1155 PARK LN PO BOX 819 FLORENCE, MT 59833

Priority Date: APRIL 6, 1971

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/28/1993 . 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.

Type of Historical Right: FILED

Purpose(use):	IRRIGATION
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Irrigation Type: SPRINKLER

**\*Flow Rate:** 1.14 CFS

\*Volume:

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

**Climatic Area: 3 - MODERATE** 

Maximum Acres: 30.00

Source Name: UNNAMED TRIBUTARY OF THREEMILE CREEK

Source Type: SURFACE WATER

DECEMBER 4, 2015 76H 214337-00 Page 2 of 3

**Point of Diversion and Means of Diversion:** 

<u>ID</u> 1		<u>Govt Lot</u>	<u>Qtr Sec</u> NENENW	<u>Sec</u> 16	<u>Twp</u> 9N		<u>inty</u> VALLI
	iod of Diversion ersion Means:	: JANUARY 1 PUMP	TO DECEMB	ER 31			
Period of	Period of Use: JANUARY 1 TO DECEMBER 31						
Place of	Use:						
<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> Cou	<u>inty</u>
1	30.00		NENENW	16	9N	19W RA	VALLI
Total:	30.00						

#### **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.

17872-00 214337-00

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 06/28/1993 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/06/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY MCGILLIVRAY.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 15 TO OCTOBER 15.

USDA AERIAL PHOTOGRAPH NO. 379-47 , DATED 03/16/1979 APPEARS TO INDICATE 20.20 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 214337-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214341-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: VERNA MARIA BAKER 1645 W KENT AVE MISSOULA. MT 59801 5509

Priority Date: NOVEMBER 6, 1892

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 07/20/1993 . 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.

Type of Historical Right: FILED

IRRIGATION
SPRINKLER/FLOOD
51.00 GPM
THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.
THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
: 3 - MODERATE
3.00
SLOCUM CREEK
SURFACE WATER

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 1		Govt Lot	<u>Qtr Sec</u> NWSESE	<u>Sec</u> 34	<u>Twp</u> 9N	<u>Rge</u> 19W	<u>County</u> RAVALLI
•	od of Diversion	APRIL 1 TO SE		•	311	1300	
	ersion Means:			00			
2	ision wicans.	DITOIT	NESWSE	34	9N	19W	RAVALLI
Peri	od of Diversion	: APRIL 1 TO SE	EPTEMBER	30			
Dive	ersion Means:	DITCH					
Period of	Use:	APRIL 1 TO SE	PTEMBER	30			
Place of U	Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	3.00		SWSE	34	9N	19W	RAVALLI
Total:	3.00						

#### **Remarks:**

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

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 07/20/1993 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214374-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: WHITEBIRD COMMUNITY LLP 1841 SHERWOOD COURT MISSOULA. MT 59802

Priority Date: MARCH 13, 1970

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/10/1993 . 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.

Type of Historical Right: FILED

Purpose(use):	COMMERCIAL
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Flow Rate: 75.00 GPM

Volume: 37.00 AC-FT

Source Name: GROUNDWATER

Source Type: GROUNDWATER

\*Point of Diversion and Means of Diversion:

ID	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>		
1	4	SWSWSW	30	6N	20W	RAVALLI		
Period of Diversion: JANUARY 1 TO DECEMBER 31								
Diversion Means: WELL								
Subdivision:	DALY ACRES TRACT/LOT: 10 BLOCK: 3							
Period of Use:	JANUARY 1	TO DECEMBE	ER 31					

DECEMBER 4, 2015 76H 214374-00

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#### \*Place of Use:

<u>ID</u>	Acres	Govt Lot	<b>Qtr Sec</b>	Sec	Twp	Rge	<b>County</b>
1			S2SWSW	30	6N	20W	RAVALLI
	Subdivision:	DALY ACRES	TRACT/LC	DT: 10	BLOC	CK: 3	

#### Remarks:

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

# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

CLAIM FILED LATE 09/10/1993 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214379-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

**Owners:** 

EDGAR L POWELL PO BOX 340 STEVENSVILLE, MT 59870

LINDA M POWELL PO BOX 340 STEVENSVILLE, MT 59870

HELEN H RUDE 1070 S SUNSET BENCH RD STEVENSVILLE, MT 59870

Priority Date: JULY 1, 1852

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 10/27/1993 . 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.
THIS CLAIM IS PART OF THE BURNT FORK CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM BURNT FORK CREEK IS EXCHANGED FOR WATER FROM THE BITTERROOT RIVER THAT IS DIVERTED INTO THE SUPPLY DITCH (SWSENW SEC 20 T7N R20W). EXCHANGE USERS HOLD SHARES IN SUPPLY DITCH ASSOCIATION TO BE ABLE TO USE THE JULY 1, 1852 "FORT" RIGHT WATER FROM BURNT FORK CREEK.

Type of Historical Right: DECREED

Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.25 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

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0		
	Climatic Area	: 3 - MODERATE
Maxir	num Acres:	80.00
Sourc	e Name:	BURNT FORK CREEK
So	ource Type:	SURFACE WATER
*Point	of Diversion and M	Means of Diversion:
ID		<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>
1		SENWNE 14 8N 19W RAVALLI
P	Period of Diversion	a: APRIL 15 TO OCTOBER 15
Ľ	Diversion Means:	
D	Ditch Name:	HIGHLINE DITCH (HEADGATE 1)
Perio	d of Use:	APRIL 15 TO OCTOBER 15
Place	of Use:	
<u>ID</u>	Acres	<u>Govt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>
1	10.00	N2S2NWSE 7 8N 19W RAVALLI
	Subdivision:	SUNSET ORCHARDS TRACT/LOT: 22 BLOCK: 1
2	10.00	S2S2NWSE 7 8N 19W RAVALLI
	Subdivision:	SUNSET ORCHARDS TRACT/LOT: 21 BLOCK: 1
3	10.00	S2N2SESE 7 8N 19W RAVALLI
	Subdivision:	SUNSET ORCHARDS AMD (B 1 & 2) TRACT/LOT: 14 BLOCK: 1
4	10.00 Subdivision:	N2N2SWSE 7 8N 19W RAVALLI SUNSET ORCHARDS TRACT/LOT: 20 BLOCK: 1
F	10.00	
5	Subdivision:	S2N2SWSE 7 8N 19W RAVALLI SUNSET ORCHARDS TRACT/LOT: 19 BLOCK: 1
6	10.00	S2N2SESW 7 8N 19W RAVALLI
Ū	Subdivision:	SUNSET ORCHARDS AMD (B 1 & 2) TRACT/LOT: 14A BLOCK: 2
7	10.00	N2S2SESW 7 8N 19W RAVALLI
	Subdivision:	SUNSET ORCHARDS AMD (B 1 & 2) TRACT/LOT: 15A BLOCK: 2
8	10.00	S2S2SESW 7 8N 19W RAVALLI
	Subdivision:	SUNSET ORCHARDS AMD (B 1 & 2) TRACT/LOT: 16A BLOCK: 2
Tota	l: 80.00	

#### **Remarks:**

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

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 512 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 3250, 25726, 25750, 50560-00, 50570-00, 104536, 104544, 104546, 104959, 104960, 105006, 107664, 107665, 119948, 128517, 128519, 147922, 150065, 150969, 151736, 151740, 214149, 214379.

CLAIM FILED LATE 10/27/1993 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA. ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/01/2007 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LINDA M. & EDGAR L. POWELL.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/19/2007 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HELEN HUDSON-RUDE LIVING TRUST.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214440-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE								
Owners:	HAMILTON 223 S 2ND HAMILTON		57					
Priority Date:	APRIL 10, 1	946						
Type of Historical Right	FILED							
Purpose(use): Flow Rate:	MUNICIPAL 1.34 CFS	-						
Volume:	968.00 AC-	FT						
Source Name: Source Type:	GROUNDWATER GROUNDWATER ALSO KNOWN AS WELL # 4							
Point of Diversion and M	Ieans of Dive	rsion:						
<u>ID</u> 1	<u>Govt Lot</u>	<u>Qtr Sec</u> NENWSE	<u>Sec</u> <u>1</u> 25	<u>Гwp</u> 6N		<u>County</u> RAVALLI		
Period of Diversion Diversion Means: Subdivision:								
Reservoir: OFF	STREAM	Reservoir Nam	e: MUN	IICIPA	L STO	RAGE TANK		
	<u>Govt Lot</u>	<u>Qtr Sec</u> NENWSW	$\frac{\text{Sec}}{32}$	<u>Гwp</u> 6N		<u>County</u> RAVALLI		
Diversion to Re Capacity:	eservoir: [	DIVERSION # 1 1.53 ACRE-						
Period of Use: JANUARY 1 TO DECEMBER 31								

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1			W2W2	30	6N	20W RAVALLI
2			W2W2NW	31	6N	20W RAVALLI
3			S2SE	24	6N	21W RAVALLI
4				25	6N	21W RAVALLI
5			NE	36	6N	21W RAVALLI

#### **Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME RESERVOIR.

107696-00 163005-00 21-00 214440-00 214441-00 57746-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 163005-00.

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL 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. 214441-00, 214440-00, 163005-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	76H 21444 Version:	11-00 STA <sup>-</sup> 1 ORIGIN Status:	TEMENT AL RIGH ACTIVE	Т	AIM		
Owners:	HAMILTON, CITY OF 223 S 2ND ST HAMILTON, MT 59840 2557						
Priority Date:	DECEMBER 26, 1934						
Type of Historical Right	FILED						
Purpose(use):	MUNICIPA	L					
Flow Rate:	1.11 CFS						
Volume:	806.50 AC	-FT					
Source Name:	GROUNDV	VATER					
Source Type:	GROUNDWATER						
ALSO KNOWN AS WELL # 2							
Point of Diversion and M	leans of Div	ersion:					
<u>ID</u> 1	Govt Lot	<u>Qtr S</u>				$\underline{County}$	
1 SWSWNW 30 6N 20W RAVALLI *Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: WELL							
Reservoir: OFFSTREAM Reservoir Name: MUNICIPAL STORAGE TANK							
	<u>Govt Lot</u>	<u>Qtr S</u> NENWS		<u>Twp</u> 6N		<u>County</u> RAVALLI	
Diversion to Ro Capacity:	eservoir:	DIVERSION 1.53 ACF					
Period of Use:	JANUARY	1 TO DECEN	/IBER 31				

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1			W2W2	30	6N	20W	RAVALLI
2			W2W2NW	31	6N	20W	RAVALLI
3			S2SE	24	6N	21W	RAVALLI
4				25	6N	21W	RAVALLI
5			NE	36	6N	21W	RAVALLI

#### **Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME RESERVOIR.

107696-00 163005-00 21-00 214440-00 214441-00 57746-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 163005-00.

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL 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. 214441-00, 214440-00, 163005-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

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 VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 805.75 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DECEMBER 4, 2015 76H 214441-00 Page 3 of 3

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 76H 214450-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: DOUBLE FORK LLC 222 VIA MARNELL WAY LAS VEGAS. NV 89119

Priority Date: MARCH 1, 1871

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 03/18/1994 . 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.

**Type of Historical Right: DECREED** 

<b>Purpose(use):</b>	IRRIGATION
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Irrigation Type: FLOOD

Flow Rate: 9.28 CFS

**\*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: 540.00

\*Source Name: BITTERROOT RIVER Source Type: SURFACE WATER

\*Point of Diversion and Means of Diversion:

II	)	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1			SWNWSE	8	7N	20W	RAVALLI
	<b>Period of Diversion:</b>	APRIL 15 TO	OCTOBER 1	5			
	<b>Diversion Means:</b>	HEADGATE					
	Ditch Name:	MITCHELL SI	LOUGH (TUC	KER	HEADO	GATE)	

#### \*Point of Diversion and Means of Diversion:

80.00

310.00

540.00

ID		Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
2 - SECONDARY			NENESW	4	7N	20W	RAVALLI
Peri	od of Diversion	: APRIL 15 TO	OCTOBER 1	15			
<b>Diversion Means:</b>		HEADGATE					
Ditch Name:		ETNA DITCH					
		SLOUGH WH	ICH IS USED	D AS A	NATU	RAL C	T RIVER IS CONVEYED TO MITCHELL ARRIER TO A SECONDARY POINT OF I RGE 20W RAVALLI COUNTY.
Period of Use:		APRIL 15 TO (	OCTOBER 1	5			
Place of	Use:						
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1	30.00		S2S2SE	28	8N	20W	RAVALLI
2	20.00		S2SESW	28	8N	20W	RAVALLI
3	100.00		NE	33	8N	20W	RAVALLI

## Remarks:

Total:

4

5

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.

33

33

8N

8N

20W RAVALLI

20W RAVALLI

E2NW

S2

136824-00 136827-00 136837-00 136839-00 1798-00 214450-00 215892-00 STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

## THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 70 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 104912-00, 108748-00, 108749-00, 151574-00, 151581-00, 214450-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 360 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 107708-00, 151574-00, 151581-00, 214450-00.

CLAIM FILED LATE 03/18/1994 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/14/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY BILL & MARILYN STRANGE.

USDA AERIAL PHOTOGRAPH NO. 179-122 , DATED 8/2/1979 APPEARS TO INDICATE 443 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. USDA AERIAL PHOTOGRAPH NO. CNR-2P-83 , DATED 8/1/1955 APPEARS TO INDICATE 450 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE SUBBASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."