

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 4396-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: DAVID J DUVAL
DECEASED
15 APPLEWAY DR
KALISPELL, MT 59901

JOHNSON FAMILY TRUST
20 PALM WAY
MILL VALLEY, CA 94941-2602

Priority Date: AUGUST 15, 1885
Enforceable Priority Date: AUGUST 15, 1885

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 70.70 GPM

Maximum 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: 1.60

Source Name: BOWSER SPRING CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	12	28N	22W	FLATHEAD

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Diversion Means: HEADGATE

Period of Use: APRIL 15 to SEPTEMBER 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	1.60		NENE	13	28N	22W	FLATHEAD

Total: 1.60

Geocodes/Valid: 07-3965-13-1-02-01-0000 - Y 07-3965-13-1-02-02-0000 - Y
07-3965-13-1-02-03-0000 - Y 07-3965-13-1-02-04-0000 - Y
07-3965-13-1-02-06-0000 - Y 07-3965-13-1-02-08-0000 - Y

Remarks:

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/18/1999.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 135128 RECEIVED 05/12/2015.

CASE NO. 9749 , FLATHEAD COUNTY, DOES NOT SPECIFY A FLOW RATE; CLAIMED FLOW RATE RETAINED.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 44.00 GPM PER ACRE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/12/2016, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ALL FAMILY'S LLC, CROMWELL, JOHNSON, MARQUARDT, AND YOUNG.

THE PRIORITY DATE MAY BE QUESTIONABLE. CASE NO. 9749 , FLATHEAD COUNTY, DOES NOT SPECIFY A PRIORITY DATE . THE CLAIMS LISTED FOLLOWING THIS STATEMENT HAVE CLAIMED VARYING PRIORITY DATES. 4396, 9466, 9467, 9701, 34227, 35621, 35622, 35623, 39630.