

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:** 76G 91823-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

DALE F MALYEVAC  
499 BROWN'S GULCH RD  
BUTTE, MT 59701-9614

MARILYN J MALYEVAC  
499 BROWN'S GULCH RD  
BUTTE, MT 59701-9614

SIMON RANCH LP  
228 MCKEOWN LN  
CARDWELL, MT 59721-9611

GARY MYERS  
402 FAIRWAY CLOSE  
WHITEFISH, MT 59937-2930

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, 1877

**Enforceable Priority Date:** MAY 1, 1877

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 0.88 CFS

**Maximum Volume:** 201.25 AC-FT

**Climatic Area:** 5 - LOW

**Maximum Acres:** 63.00

**Source Name:** HAIL COLUMBIA GULCH

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	29	4N	8W	SILVER BOW

**Period of Diversion:** MAY 10 TO SEPTEMBER 19

**Diversion Means:** HEADGATE

2		SWSW	28	4N	8W	SILVER BOW
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**Period of Diversion:** MAY 10 TO SEPTEMBER 19

**Diversion Means:** HEADGATE

**Period of Use:** MAY 10 to SEPTEMBER 19

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	14.00		E	29	4N	8W	SILVER BOW
2	28.00		S	32	4N	8W	SILVER BOW
3	21.00		N	32	4N	8W	SILVER BOW
<b>Total:</b>	<b>63.00</b>						

**Geocodes/Valid:** 01-1289-28-3-01-05-0000 - Y      01-1289-29-4-01-10-0000 - Y  
01-1289-32-1-01-10-0000 - Y      01-1289-32-1-01-20-0000 - Y  
01-1289-32-1-01-25-0000 - Y

**Remarks:**

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**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

91821-00      91822-00      91823-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/02/2007. FOR OUID# 49477, SHOWS THAT DALE F. & MARILYN J. MALYVAC WILL RECEIVE ONLY 22.2% OF THE WATER RIGHT THAT TRANSFERED WITH THE SALE OF PARCEL 844B PARCEL A1.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 42891 RECEIVED 11/16/2006.

OWNERSHIP UPDATE TYPE 608 # 49477 RECEIVED 10/02/2007.

OWNERSHIP UPDATE TYPE DOR # 127777 RECEIVED 11/19/2014.

OWNERSHIP UPDATE TYPE DOR # 140976 RECEIVED 01/07/2016.