

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 6103-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
NATE R NELSON
980 THREE MILE DR
KALISPELL, MT 59901

KELSEY A NELSON
980 THREE MILE DR
KALISPELL, MT 59901

DUANE K NELSON
880 THREE MILE DR
KALISPELL, MT 59901

NANCY K NELSON
880 THREE MILE DR
KALISPELL, MT 59901

Priority Date: OCTOBER 13, 1883
Enforceable Priority Date: OCTOBER 13, 1883

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 1.60 CFS

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: 120.00

Source Name: SMITH 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 | | S2NENE | 10 | 28N | 22W | FLATHEAD |

Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: PUMP

Period of Use: APRIL 15 to OCTOBER 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 | 40.00 | | NWNE | 10 | 28N | 22W | FLATHEAD |
| 2 | 40.00 | | SENE | 10 | 28N | 22W | FLATHEAD |
| 3 | 40.00 | | SWNE | 10 | 28N | 22W | FLATHEAD |
| Total: | 120.00 | | | | | | |

Geocodes/Valid: 07-3965-10-1-01-01-0000 - Y 07-3965-10-1-01-05-0000 - Y
07-3965-10-1-01-10-0000 - Y 07-3965-10-1-01-16-0000 - Y
07-3965-10-1-01-20-0000 - Y 07-3965-10-1-01-30-0000 - Y
07-3965-10-1-01-50-0000 - Y

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.

6102-00 6103-00 6104-00

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

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 63774 RECEIVED 10/30/2008.

OWNERSHIP UPDATE TYPE DOR # 85669 RECEIVED 09/23/2009.

OWNERSHIP UPDATE TYPE DOR # 98787 RECEIVED 01/01/2012.

OWNERSHIP UPDATE TYPE DOR # 103291 RECEIVED 04/04/2012.

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. 76LJ 532-00, 76LJ 6103-00 AND 76LJ 110828-00.

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