

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: 76M 105253-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: ORCHARD HOMES DITCH CO
PO BOX 5402
MISSOULA, MT 59806

Priority Date: JUNE 2, 1926

Enforceable Priority Date: JUNE 2, 1926

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Maximum Flow Rate: 19.80 CFS

THE PARTIES' JUNE 26, 1985 STIPULATION SPECIFIES THAT THE "COMBINED FLOW RATE FOR IRRIGATION CLAIMS FILED BY ORCHARD HOMES DITCH COMPANY IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURE AND CONVEYANCE SYSTEM."

Maximum Volume:

Climatic Area: 3 - MODERATE

Maximum Acres: 524.00

Source Name: CLARK FORK RIVER

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		NESE	21	13N	19W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

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	20.00		NENE	19	13N	19W	MISSOULA
2	36.00		SENE	19	13N	19W	MISSOULA
3	9.00		SESWE	19	13N	19W	MISSOULA
4	29.00		NWSE	19	13N	19W	MISSOULA
5	36.00		NESE	19	13N	19W	MISSOULA
6	18.00		NENE	20	13N	19W	MISSOULA
7	34.00		NWNE	20	13N	19W	MISSOULA
8	36.00		NENW	20	13N	19W	MISSOULA
9	36.00		NWNW	20	13N	19W	MISSOULA
10	36.00		SWNW	20	13N	19W	MISSOULA
11	36.00		SENE	20	13N	19W	MISSOULA
12	36.00		SWNE	20	13N	19W	MISSOULA
13	36.00		SENE	20	13N	19W	MISSOULA
14	18.00		W2NWSE	20	13N	19W	MISSOULA
15	36.00		NESW	20	13N	19W	MISSOULA
16	36.00		NWSW	20	13N	19W	MISSOULA
17	11.00		S2NWNW	21	13N	19W	MISSOULA
18	18.00		N2SWNW	21	13N	19W	MISSOULA
19	7.00		S2SWNW	21	13N	19W	MISSOULA
Total:	524.00						

Geocodes/Valid: -- NO VALID GEOCODES --

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.

105252-00 105253-00

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

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ALTHOUGH NOT OBJECTED TO THE PLACE OF USE WAS CHANGED TO REFLECT THE REDUCTION IN MAXIMUM ACRES IRRIGATED.