

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: 76H 107827-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: WILLIAM E MYTTY JR
PO BOX 4746
MISSOULA, MT 59806-4746

PHIL CASCIO JR
CASCIO STORAGE & WAREHOUSE, INC
PO BOX 4938
GREENVILLE, MS 38704-4938

KELLY M DONOGHUE
7400 ARROYO LN
MISSOULA, MT 59808

Priority Date: JUNE 1, 1886
Enforceable Priority Date: JUNE 1, 1886

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 417.00 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: 35.00

Source Name: MILL 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		SESWSE	34	12N	21W	MISSOULA

Period of Diversion: APRIL 1 TO NOVEMBER 4

Diversion Means: HEADGATE

Ditch Name: LISTER-ZENS PIPELINE

THE FOLLOWING WATER RIGHTS USE THE LISTER-ZENS PIPELINE TO CONVEY WATER DIVERTED FROM MILL CREEK: W004599-00, W107823-00, W107827-00, W151188-00, W103368-00.

DITCH NAME: LISTER-ZENS PIPELINE

Period of Use: APRIL 1 to NOVEMBER 4

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	10.00		N2SWSW	34	12N	21W	MISSOULA
2	4.00		NWSESW	34	12N	21W	MISSOULA
3	19.00		NWSE	34	12N	21W	MISSOULA
4	2.00		NWSWSE	34	12N	21W	MISSOULA
Total:	35.00						

Geocodes/Valid: 04-2091-34-3-02-03-0000 - Y 04-2091-34-3-02-04-0000 - Y
04-2091-34-3-02-05-0000 - Y 04-2091-34-3-03-01-0000 - Y
04-2091-34-3-03-02-0000 - Y

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.

107823-00 107824-00 107827-00

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/23/90: MAXIMUM ACRES, PLACE OF USE.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 52840 RECEIVED 12/28/2007.

OWNERSHIP UPDATE TYPE DOR # 82271 RECEIVED 07/28/2009.

THE MISSOULA COUNTY WATER RESOURCES SURVEY (1960) SHOWS 24.0 ACRES BEING IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.