

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 133646-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: WHALEN, EMMETTE T TRUST
BETTY WHALEN TRUSTEE
451 LITTLE BASIN CREEK RD
BUTTE, MT 59701-9612

IRENE M CHESSMORE
5797 GREENHOUSE RD
DEER LODGE, MT 59722-8744

DEBBIE E HOLLAND
689 GREENHOUSE RD
DEER LODGE, MT 59722

THE PLACE OF USE OF THIS RIGHT WAS ALSO CLAIMED BY THE CLAIMANTS OF FILE NO. W090720-00. THE WATER COURT DECREES THIS RIGHT AND MAKES ALL CLAIMS A MATTER OF RECORD.

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: APRIL 30, 1869

Enforceable Priority Date: APRIL 30, 1869

CASE NO. 1982, DEER LODGE COUNTY, DECREES RIGHT OF 4TH USE.

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 5.50 CFS

Maximum Volume:

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 398.00

Source Name: LOST 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		NENENE	6	5N	9W	DEER LODGE

Period of Diversion: APRIL 15 TO NOVEMBER 4

Diversion Means: HEADGATE

Period of Use: APRIL 15 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	80.00		N2NW	9	6N	9W	POWELL
2	30.00		E2NE	5	6N	9W	POWELL
3	288.00		W2	4	6N	9W	POWELL
Total:	398.00						

Geocodes/Valid: 28-1483-04-1-01-01-0000 - Y 28-1483-04-3-01-01-0000 - Y
28-1483-05-1-01-01-0000 - Y 28-1483-09-1-01-05-0000 - Y

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.

133642-00 133643-00 133644-00 133646-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/15/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/18/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/26/94.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 108452 RECEIVED 12/07/2012.

OWNERSHIP UPDATE TYPE DOR # 129496 RECEIVED 09/26/2014.