#### 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 146786-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

**Version Status: ACTIVE** 

Owners: LYNN E BERTANE

428 TIE CHUTE LN FLORENCE, MT 59833

HOPKINS LIVING TRUST %H LEE & SHIRLEY J HOPKINS

522 TIE CHUTE LN FLORENCE, MT 59833

PYRON FAMILY TRUST %PYRON SUE TRUSTEE 5600 SPRING MOUNTAIN RD FLORENCE, MT 59833-6500

**Priority Date:** MAY 1, 1888

Enforceable Priority Date: MAY 1, 1888

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1.50 CFS

PRIMARILY A DIRECT FLOW IRRIGATION SYSTEM; FLOW RATE RETAINED.

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT

PUT TO HISTORICAL AND BENEFICIAL USE.

PRIMARILY A DIRECT FLOW IRRIGATION SYSTEM: VOLUME NOT DECREED.

Climatic Area: 3 - MODERATE

Maximum Acres: 80.00

Source Name: ONE HORSE CREEK, NORTH CHANNEL

**Source Type:** SURFACE WATER

THIS RIGHT DOES NOT INCLUDE WATERS OF TIE CHUTE CREEK.

Point of Diversion and Means of Diversion:

IDGovt LotQtr SecSecTwpRgeCounty1NESWNE910N20WRAVALLI

Period of Diversion: MARCH 1 TO DECEMBER 4

**Diversion Means:** HEADGATE

Ditch Name: JACOB DICK DITCH

NENENW 10 10N 20W RAVALLI

Period of Diversion: MARCH 1 TO DECEMBER 4

**Diversion Means:** HEADGATE **Ditch Name:** PRESLAR DITCH

3 NENWNW 10 10N 20W RAVALLI

Period of Diversion: MARCH 1 TO DECEMBER 4

**Diversion Means:** HEADGATE **Ditch Name:** VICK DITCH

4 NENENW 10 10N 20W RAVALLI

Period of Diversion: MARCH 1 TO DECEMBER 4

**Diversion Means:** HEADGATE

Ditch Name: WAGNER-SLOCUM-LACOFF DITCH

5 NESWNE 10 10N 20W RAVALLI

Period of Diversion: MARCH 1 TO DECEMBER 4

**Diversion Means:** HEADGATE **Ditch Name:** YELTON DITCH

April 3, 2017 76H 146786-00

**Reservoir:** OFF STREAM

Govt Lot Qtr Sec Sec Twp Rge County

SENENW 10 10N 20W RAVALLI

**Diversion to Reservoir:** DIVERSION # 1

Surface Area: 0.50 ACRES
Current Capacity: 1.60 ACRE-FEET
Original Capacity: 1.60 ACRE-FEET

**Reservoir:** OFF STREAM

Govt Lot Qtr Sec Sec Twp Rge County
SENENW 10 10N 20W RAVALLI

**Diversion to Reservoir:** DIVERSION # 1

Surface Area:0.60 ACRESCurrent Capacity:1.90 ACRE-FEETOriginal Capacity:1.90 ACRE-FEET

**Reservoir:** OFF STREAM

Govt Lot Qtr Sec Sec Twp Rge County
SENENW 10 10N 20W RAVALLI

Diversion to Reservoir: DIVERSION #1

Surface Area: 0.60 ACRES
Current Capacity: 1.90 ACRE-FEET
Original Capacity: 1.90 ACRE-FEET

Period of Use: MARCH 1 to DECEMBER 4

PERIOD OF DIVERSION IS YEAR-ROUND IF WATER IS AVAILABLE TO FILL THE

IMPOUNDMENTS.

Place of Use:

<u>ID</u>	<u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<b>County</b>
1	8.56		S2SWSW	3	10N	20W	RAVALLI
2	22.88		NENE	9	10N	20W	RAVALLI
3	48.56		N2NW	10	10N	20W	RAVALLI
Total:	80.00						

Geocodes/Valid: 13-1869-03-1-01-27-0000 - Y 13-1869-09-1-01-17-0000 - 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.

146786-00 146793-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 05/24/90.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 05/15/84.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/24/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/15/84.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/29/98.

# **OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 40973 RECEIVED 08/16/2006.

OWNERSHIP UPDATE TYPE DOR # 104732 RECEIVED 08/20/2008.

OWNERSHIP UPDATE TYPE DOR # 118448 RECEIVED 08/13/2013.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.