

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 146824-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

THOMAS S ROGAN  
3763 TEAYS VALLEY RD  
HURRICANE, WV 25526

ELIZABETH H ROGAN  
3763 TEAYS VALLEY RD  
HURRICANE, WV 25526

WILLIAM T FRANKENBERGER  
3380 FERN LN  
STEVENSVILLE, MT 59870

MARGARET E BEEBE FRANKENBERGER  
3380 FERN LN  
STEVENSVILLE, MT 59870

FOUNDATION PROPERTIES LLC  
2505 UNIVERSITY BLVD  
PO BOX 2230  
AMES, IA 50010-2230

OWNER MARGARET E BEEBE FRANKENBERGER RETAINED. REMAINING LIFE ESTATE INTEREST.

OWNER WILLIAM T FRANKENBERGER RETAINED. REMAINING LIFE ESTATE INTEREST.

**Priority Date:** APRIL 1, 1887

**Enforceable Priority Date:** APRIL 1, 1887

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 224.40 GPM

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 40.00

**Source Name:** MCCALLA 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		SWNE	6	8N	20W	RAVALLI

**Period of Diversion:** APRIL 15 TO OCTOBER 4

**Diversion Means:** HEADGATE

**Ditch Name:** DOWNING DITCH D

2		NENWNW	5	8N	20W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 4

**Diversion Means:** HEADGATE

**Ditch Name:** DOWNING DITCH E

DITCH NAME FOR DIVERSION NO. 2 IS: DOWNING E DITCH

DITCH NAME FOR DIVERSION NO. 01 IS: DOWNING D DITCH

**Period of Use:** APRIL 15 to OCTOBER 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	40.00		SESE	32	9N	20W	RAVALLI

**Total:** 40.00

**Geocodes/Valid:** 13-1764-32-4-01-01-0000 - Y 13-1764-32-4-01-02-0000 - Y  
13-1764-32-4-01-03-0000 - Y

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**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.

131599-00 146824-00 157851-00

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

FILE IS IN HOLDING TANK IN TRUDIE'S OFFICE-12/05/00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/29/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/19/93.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/23/99.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 4721 RECEIVED 09/18/2002.

OWNERSHIP UPDATE TYPE 608 # 42916 RECEIVED 11/22/2006.

OWNERSHIP UPDATE TYPE DOR # 133241 RECEIVED 07/01/2015.

OWNERSHIP UPDATE TYPE DOR # 143089 RECEIVED 05/26/2016.