

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 146832-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** KEVIN MYTTY  
875 SWEENEY CREEK LOOP  
FLORENCE, MT 59833  
  
CHRISTOPHER D SMITH  
28306 COUNTRY MEADOWS LN  
KENNEWICK, WA 99338  
  
CORINNE R SMITH  
28306 COUNTRY MEADOWS LN  
KENNEWICK, WA 99338  
  
CHADWICK R BERG  
4209 EDGEWATER WAY  
STEVENSVILLE, MT 59870  
  
AMY L BERG  
4209 EDGEWATER WAY  
STEVENSVILLE, MT 59870  
  
MICHELLE R ALVES  
4203 EDGEWATER WAY  
STEVENSVILLE, MT 59870  
  
DEVEN D OLSON  
4203 EDGEWATER WAY  
STEVENSVILLE, MT 59870

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

**Priority Date:** JULY 31, 1958  
**Enforceable Priority Date:** JULY 31, 1958

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION  
**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 5.00 CFS

**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:** 225.09

**Source Name:** BITTERROOT 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		E2E2SW	10	9N	20W	RAVALLI

**Period of Diversion:** APRIL 15 TO OCTOBER 15  
**Diversion Means:** PUMP

2		E2NENW	15	9N	20W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 15  
**Diversion Means:** PUMP

PUMP IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

**Period of Use:** APRIL 15 to OCTOBER 15

**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	49.17		S2NW	10	9N	20W	RAVALLI
2	120.41		SW	10	9N	20W	RAVALLI
3	55.51		N2NW	15	9N	20W	RAVALLI

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<b>Total:</b>	225.09						
<b>Geocodes/Valid:</b>		13-1764-10-1-01-06-0000 - Y				13-1764-15-1-01-11-0000 - Y	
		13-1764-15-1-01-12-0000 - Y				13-1764-15-1-01-13-0000 - Y	
		13-1764-15-1-01-14-0000 - Y				13-1764-15-1-01-15-0000 - Y	

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/26/2001: PUMP CAPACITY, PLACE OF USE.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/11/2000.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 92447 RECEIVED 08/24/2010.

OWNERSHIP UPDATE TYPE DOR # 126970 RECEIVED 11/26/2014.

OWNERSHIP UPDATE TYPE DOR # 132260 RECEIVED 03/03/2015.

OWNERSHIP UPDATE TYPE DOR # 147057 RECEIVED 08/22/2016.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/29/2014, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY 6 POTENTIAL NEW OWNERS. SEE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-126 , DATED 08/02/1979 APPEARS TO INDICATE 196.86 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BITTERROOT RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 1287, RAVALLI COUNTY.