

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:** 76LJ 147083-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** ERIC R GATES  
618 TALLY LAKE RD  
WHITEFISH, MT 59937  
  
UPPER LOST CREEK RANCH LLC  
PO BOX 58408  
SEATTLE, WA 98138  
  
RENEE R KIENTZ  
PO BOX 1076  
WHITEFISH, MT 59937  
  
KENNETH L KIENTZ JR  
PO BOX 1076  
WHITEFISH, MT 59937

**Priority Date:** DECEMBER 31, 1925  
**Enforceable Priority Date:** DECEMBER 31, 1925

**Type of Historical Right:** USE

**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:** 4 - MODERATELY LOW

**Maximum Acres:** 20.00

**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		NESESE	23	30N	23W	FLATHEAD

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

**Diversion Means:** HEADGATE

2		NWSWNW	25	30N	23W	FLATHEAD
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**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	9.00		E2SESE	23	30N	23W	FLATHEAD
2	4.00		SWSWSW	24	30N	23W	FLATHEAD
3	7.00		NWNWNW	25	30N	23W	FLATHEAD
<b>Total:</b>	20.00						

**Geocodes/Valid:** 07-4183-23-4-01-01-0000 - Y 07-4183-23-4-01-50-0000 - Y  
07-4183-24-3-01-20-0000 - Y 07-4183-24-3-01-25-0000 - Y  
07-4183-24-3-01-30-0000 - Y 07-4183-25-2-01-01-0000 - Y  
07-4183-25-2-01-10-0000 - Y

**Remarks:**

**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.

147082-00 147083-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/11/1995.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 74770 RECEIVED 07/26/2010.

OWNERSHIP UPDATE TYPE DOR # 97223 RECEIVED 12/22/2011.

OWNERSHIP UPDATE TYPE DOR # 105026 RECEIVED 10/31/2012.

OWNERSHIP UPDATE TYPE 608 # 141124 RECEIVED 04/14/2016.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE FLATHEAD COUNTY WATER RESOURCES SURVEY ( 1965 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 1279-139 , DATED 07/22/1980 , APPEARS TO INDICATE 8.37 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE LEGAL LAND DESCRIPTION FOR POINTS OF DIVERSION NO. NO. 1 AND NO. 2 COULD NOT BE REFINED FROM INFORMATION IN THE FILE. THE CLAIMED POINTS OF DIVERSION CANNOT BE CONFIRMED.