

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 147523-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
WILLIAM S BROWN
10025 OBRIEN CREEK RD
MISSOULA, MT 59801

LYNDA L BROWN
10025 OBRIEN CREEK RD
MISSOULA, MT 59801

Priority Date: JUNE 30, 1884
Enforceable Priority Date: JUNE 30, 1884

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 119.00 GPM

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: 8.50

Source Name: O'BRIEN 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 | | NWSESW | 28 | 13N | 20W | MISSOULA |

Period of Diversion: APRIL 15 TO OCTOBER 19
Diversion Means: PUMP

Period of Use: APRIL 15 to OCTOBER 19

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 | 1.50 | | NWSESW | 28 | 13N | 20W | MISSOULA |
| 2 | 2.00 | | SWNESW | 28 | 13N | 20W | MISSOULA |
| 3 | 3.00 | | SENWSW | 28 | 13N | 20W | MISSOULA |
| 4 | 2.00 | | NESWSW | 28 | 13N | 20W | MISSOULA |
| Total: | 8.50 | | | | | | |

Geocodes/Valid: 04-2199-28-1-03-07-0000 - 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.

99720-00 147523-00

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

FILE IS IN HOLDING TANK IN TRUDIES OFFICE 12/05/00.

PERMIT NO. 004636 WAS ISSUED PENDING RECOGNITION OF THIS CLAIM TO A PRE-1973 WATER RIGHT.

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

CLAIMANTS HAVE PROVIDED EVIDENCE, INCLUDING THE RESULTS OF A DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FIELD INVESTIGATION, CONFIRMING PRE JULY 1, 1973 IRRIGATION OF 8.50 ACRES BY THIS CLAIM. SEE CLAIM FILE AND WATER COURT CASE 76HB- 31B FOR MORE INFORMATION.

THE MISSOULA COUNTY WATER RESOURCES SURVEY (1960) SHOWS 0.00 ACRES BEING IRRIGATED.