

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 147553-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

DARWIN L MYERS  
283 ELK RANGE WAY  
DARBY, MT 59829

DORTHY SILVERIO  
8360 CR 208  
SAINT AUGUSTINE, FL 32092

HENRY SILVERIO  
8360 CR 208  
SAINT AUGUSTINE, FL 32092

MELVIN F PERVAIS  
393 STE-GERMAINE OKA  
QUEBEC CANADA, JON IEO

DEBORAH SMITH  
17236 ANCANTO DR  
RAMONA, CA 92065

JODY L SMITH  
3656 MOOSE MEADOW LN  
DARBY, MT 59829-9644

JAMES L SMITH  
3656 MOOSE MEADOW LN  
DARBY, MT 59829-9644

STEVEN P MANDALA  
27512 VANTAGE CIRCLE  
SAN JUAN CAPISTRANO, CA 92675

LINDA A MANDALA  
27512 VANTAGE CIRCLE  
SAN JUAN CAPISTRANO, CA 92675

JOHN RINGER  
PO BOX 507  
BURLEY, WA 98322

DAWN RINGER  
PO BOX 507  
BURLEY, WA 98322

BRIAN S LORENZ  
PO BOX 11344  
JACKSON, WY 83002

ELLEN B MEYERS  
PO BOX 11344  
JACKSON, WY 83002

BEHLING, ANN M FAMILY TRUST  
PO BOX 610  
DARBY, MT 59829-0610

BEHLING, LOUIS F FAMILY TRUST  
PO BOX 610  
DARBY, MT 59829-0610

JAMES WIEZEL  
PO BOX 987  
DARBY, MT 59829

JENNIFER WIEZEL  
6310 INDIAN SPRINGS RD  
LOOMIS, CA 95650

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

**Priority Date:** APRIL 1, 1889  
**Enforceable Priority Date:** APRIL 1, 1889  
**Type of Historical Right:** DECREED  
**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD  
**Maximum Flow Rate:** 330.15 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:** 140.70  
**Source Name:** TIN CUP 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		SWSWSW	16	3N	21W	RAVALLI

**Period of Diversion:** APRIL 1 TO OCTOBER 31  
**Diversion Means:** HEADGATE  
**Ditch Name:** MCINTOSH-MORELLO LOWLINE DITCH

2		NWSENW	21	3N	21W	RAVALLI
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**Period of Diversion:** APRIL 1 TO OCTOBER 31  
**Diversion Means:** HEADGATE  
**Ditch Name:** CHAFFIN-WHINNERY DITCH

3		SWNESE	21	3N	21W	RAVALLI
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**Period of Diversion:** APRIL 1 TO OCTOBER 31  
**Diversion Means:** HEADGATE  
**Ditch Name:** CLICK-MATTESON DITCH

DITCH NAME FOR DIVERSION NO. 01 IS: MCINTOSH-MORELLO LOWLINE DITCH  
DITCH NAME FOR DIVERSION NO. 3 IS: CLICK-MATTESON DITCH  
DITCH NAME FOR DIVERSION NO. 2 IS: CHAFFIN-WHINNERY DITCH

**Period of Use:** APRIL 1 to OCTOBER 31

**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	1.00		SESESW	15	3N	21W	RAVALLI
2	17.00		SESW	15	3N	21W	RAVALLI
3	36.00		SWSE	15	3N	21W	RAVALLI
4	11.00		N2NENE	22	3N	21W	RAVALLI
5	24.00		NWNE	22	3N	21W	RAVALLI
6	16.00		NENW	22	3N	21W	RAVALLI
7	9.00		NWNW	22	3N	21W	RAVALLI
8	18.00		SWNW	22	3N	21W	RAVALLI
9	4.00		N2SESW	22	3N	21W	RAVALLI
10	4.70		NWSW	22	3N	21W	RAVALLI
<b>Total:</b>	<b>140.70</b>						

<b>Geocodes/Valid:</b>	13-1176-15-4-01-13-0000 - Y	13-1176-15-4-01-14-0000 - Y
	13-1176-15-4-01-21-0000 - Y	13-1176-15-4-01-23-0000 - Y
	13-1176-22-1-01-04-0000 - Y	13-1176-22-1-01-05-0000 - Y
	13-1176-22-1-01-06-0000 - Y	13-1176-22-1-01-07-0000 - Y
	13-1176-22-1-01-08-0000 - Y	13-1176-22-1-01-09-0000 - Y
	13-1176-22-1-01-10-0000 - Y	13-1176-22-1-01-11-0000 - Y
	13-1176-22-1-01-27-0000 - Y	13-1176-22-1-01-28-0000 - Y
	13-1176-22-1-01-29-0000 - Y	13-1176-22-1-01-30-0000 - Y
	13-1176-22-1-01-31-0000 - Y	13-1176-22-1-01-32-0000 - Y
	13-1176-22-1-01-33-0000 - Y	13-1176-22-1-01-34-0000 - Y
	13-1176-22-1-01-35-0000 - Y	13-1176-22-1-01-36-0000 - 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.

147553-00 147555-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/29/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/22/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/07/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/12/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/04/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/02/98.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/02/98.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 21998 RECEIVED 06/02/2005.

OWNERSHIP UPDATE TYPE 608 # 31501 RECEIVED 01/30/2006.

OWNERSHIP UPDATE TYPE DOR # 97066 RECEIVED 04/07/2011.

OWNERSHIP UPDATE TYPE DOR # 115400 RECEIVED 02/23/2013.

OWNERSHIP UPDATE TYPE DOR # 115399 RECEIVED 07/17/2013.

OWNERSHIP UPDATE TYPE DOR # 114148 RECEIVED 10/02/2013.

OWNERSHIP UPDATE TYPE DOR # 130522 RECEIVED 03/17/2015.

OWNERSHIP UPDATE TYPE DOR # 147093 RECEIVED 05/12/2016.