

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 147595-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: TRINITY CARE CENTER LLC
815B US HIGHWAY 93 S
HAMILTON, MT 59840

Priority Date: JANUARY 25, 1936

Enforceable Priority Date: JANUARY 25, 1936

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 255.00 GPM

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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: 15.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEN	12	5N	21W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 20

Diversion Means: DIKE

Period of Use: APRIL 1 to OCTOBER 20

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>
1	10.00		NWN	12	5N	21W	RAVALLI
2	5.00		SWN	12	5N	21W	RAVALLI
Total:	15.00						

THE PLACE OF USE IS LOCATED IN CERTIFICATE OF SURVEY NO. 4078 , RAVALLI COUNTY.

Geocodes/Valid: 13-1366-12-1-01-37-0000 - Y 13-1366-12-1-01-48-0000 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 70144 RECEIVED 02/19/2010.

OWNERSHIP UPDATE TYPE DOR # 122337 RECEIVED 05/15/2014.

THIS CLAIM AND WATER RIGHT NO. 210766-00 APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/30/2002, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY BIG SKY HIGH LLC.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 07/30/1999, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ANGLERS LODGE LLC.

USDA AERIAL PHOTOGRAPH NO(S). 179-116 , DATED 08/02/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

Remarks:

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWNESE SEC 12 TWP 05N RGE 21W RAVALLI COUNTY.

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