

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 148867-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: TRUST B LYBECK, RAY TESTAMENTARY TRUST
195 ADDISON SQUARE
DUANE & DIRK LYBECK, CO-TRUSTEES
KALISPELL, MT 59901

NW DEV GROUP LLC
4260 GALEWOOD ST SUITE B
LAKE OSWEGO, OR 97035

Priority Date: APRIL 30, 1982

Enforceable Priority Date: APRIL 30, 1982

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE FILING DATE OF THE STATEMENT OF CLAIM. THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA.

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER

Maximum Flow Rate: 2.12 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: 210.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

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		NWSENW	27	29N	21W	FLATHEAD

Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: WELL

Period of Use: MAY 1 to SEPTEMBER 30

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	130.00		NW	27	29N	21W	FLATHEAD
2	80.00		N2SW	27	29N	21W	FLATHEAD
Total:	210.00						

Geocodes/Valid: 07-4078-27-2-01-01-0000 - Y 07-4078-27-2-01-10-0000 - Y
07-4078-27-2-01-30-0000 - Y 07-4078-27-2-01-40-0000 - Y
07-4078-27-2-01-45-0000 - Y 07-4078-27-2-01-50-0000 - Y
07-4078-27-2-01-55-0000 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 108622 RECEIVED 04/04/2013.

OWNERSHIP UPDATE TYPE DOR # 122475 RECEIVED 05/02/2014.

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ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/15/2015, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CLEONA, DIRK, AND DUANE LYBECK, AND MONICA DUNN.
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Remarks:

THE FLATHEAD COUNTY WATER RESOURCES SURVEY (1965) APPEARS TO INDICATE 96.31 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED FORM 605, (DECLARATION OF EXISTING WATER RIGHT), IS 04/1965.