

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 150788-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

BONNIE L DREW
12755 MILL CREEK ROAD
LOLO, MT 59847-9403

WILLIAM E DREW
535 WHITE BIRCH LN
KALISPELL, MT 59901

BRIDGETT VOLKMANN
14469 NEIL DR
LOLO, MT 59847

BRYAN VOLKMANN
14469 NEIL DR
LOLO, MT 59847

WILLIAM A ALSBROOKS
PO BOX 151
LOLO, MT 59847

T & E INVESTMENTS INC
% STEVE RUTHERFORD
619 SW HIGGINS, SUITE R
MISSOULA, MT 59803

EDWIN JAKUBOWSKI, JR
15470 THAYER RD
LOLO, MT 59847

KIM JAKUBOWSKI
15470 THAYER RD
LOLO, MT 59847

SAMUEL R KINSINGER
15275 THAYER RD
LOLO, MT 59847

MERT LEESE
14700 NEIL DR
LOLO, MT 59847

RONALD V STEWART
14549 NEIL DR
LOLO, MT 59847

CAREN C STEWART
14549 NEIL DR
LOLO, MT 59847

EUGENE W WHITAKER
LOLO CREEK RD
PO BOX 514
LOLO, MT 59847

MICHAEL H FREE
4314 RAINBOW DR
MISSOULA, MT 59803-1043

LARRY W HAMILTON
PO BOX 412
LOLO, MT 59847

CHERYL HAMILTON
PO BOX 412
LOLO, MT 59847

GENE SANDERS
PO BOX 1064
LOLO, MT 59847

MONTANA C TOLLIVER
PMB #519
2401 BROOKS ST
MISSOULA, MT 59801

LOWELL L TRUSTY
35305 EDS CREEK RD
ALBERTON, MT 59820-9467

PHIL CASCIO JR
CASCIO STORAGE & WAREHOUSE, INC
PO BOX 4938
GREENVILLE, MS 38704-4938

JUDD L KOWALSKI
105 NW CHERRY HILL LOOP
OAK HARBOR, WA 98277-3807

JOYNER FAMILY TRUST
14999 NEIL DR
LOLO, MT 59847

DIANE TIDWELL
14950 NEIL DR
LOLO, MT 59847

DEBBIE L MCLEISH
14850 NEIL DR
LOLO, MT 59847

GERALD E MCLEISH
14850 NEIL DR
LOLO, MT 59847

VICTOR RICHMOND
15465 THAYER RD
LOLO, MT 59847

DAN SLOAN
12655 MILL CREEK RD
LOLO, MT 59847

ERICKA I TRUSTY
35305 S EDS CREEK
ALBERTON, MT 59820

EUGENE WHITAKER, JR
LOLO CREEK RD
PO BOX 514
LOLO, MT 59847

LINDA M FREE
4314 RAINBOW DR
MISSOULA, MT 59803-1043

DUSTIN W ROGERS
14750 NEIL DR
LOLO, MT 59847

JESSICA L ANIELLO
14750 NEIL DR
LOLO, MT 59847

PHILLIP B THRASHER
15000 NEIL DR
LOLO, MT 59847

JANET L THRASHER
15000 NEIL DR
LOLO, MT 59847

MCNEAL, KENNETH L & KRISTI A REVOC LIVING TRUST
MCNEAL KENNETH L & KRISTI A TRUSTEES
3169 WRENWOOD AVE
CLOVIS, CA 93619

CHRISTINA R BEHAR
14799 NEIL DR
LOLO, MT 59847

EUGENE R BEHAR
14799 NEIL DR
LOLO, MT 59847

TERALEE L HAMILTON
14899 NEIL DR
LOLO, MT 59847

CHAD SCHAEFFER
14899 NEIL DR
LOLO, MT 59847

CARMEN K SEBASTIAN
12820 MILL CREEK RD
LOLO, MT 59847

JOHN B SEBASTIAN
12820 MILL CREEK RD
LOLO, MT 59847

Priority Date: JUNE 1, 1920

Enforceable Priority Date: JUNE 1, 1920

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1.00 CFS

CONCLUSION OF LAW X OF THE DECREE IN CAUSE 12336, MISSOULA COUNTY STATES: THAT THE AMOUNTS OF THE APPROPRIATIONS OF EACH AND ALL PARTIES AS HEREIN FOUND ARE AND ARE TO BE COMPUTED ON THE STREAM AT OR NEAR THE POINT OF DIVERSION OF THE DITCH OF EACH IN THE CASE OF ALL PARTIES USING DIRECTLY FROM THE STREAMS BY MEANS OF THEIR OWN DITCHES. AS TO ALL DITCHES WHERE TWO OR MORE PARTIES DIVERT THEIR WATER FROM THE STREAM IN THE SAME DITCH, JOINTLY OR IN GROUPS, THE AMOUNT TO EACH SHALL BE MEASURED AT THE HEAD OF EACH OF HIS OR HER LATERAL DITCH OR DITCHES AS THE AMOUNT EACH ARE ENTITLED TO, LESS THEIR PROPORTIONATE SHARE OF THE LOSS, IF ANY, IN CONVEYING THE WATERS FROM THE STREAM TO THE HEAD OF THEIR LATERAL OR LATERALS.

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: 107.80

Source Name: MILL 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		SWNWNE	3	11N	21W	MISSOULA

Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: THAYER DITCH

DITCH NAME: THAYER DITCH

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	40.00		E2SE	34	12N	21W	MISSOULA
2	67.80		SW	35	12N	21W	MISSOULA

Total: 107.80

Geocodes/Valid:

04-2091-34-4-01-02-0000 - Y	04-2091-34-4-01-03-0000 - Y
04-2091-34-4-01-04-0000 - Y	04-2091-34-4-01-05-0000 - Y
04-2091-34-4-01-06-0000 - Y	04-2091-35-3-03-01-0000 - Y
04-2091-35-3-03-02-0000 - Y	04-2091-35-3-03-03-0000 - Y
04-2091-35-3-03-04-0000 - Y	04-2091-35-3-04-03-0000 - Y
04-2091-35-3-04-04-0000 - Y	04-2091-35-3-04-05-0000 - Y
04-2091-35-3-04-06-0000 - Y	04-2091-35-3-05-02-0000 - Y

04-2091-35-3-05-03-0000 - Y	04-2091-35-3-05-09-0000 - Y
04-2091-35-3-06-01-0000 - Y	04-2091-35-3-06-02-0000 - Y
04-2091-35-3-06-03-0000 - Y	04-2091-35-3-06-04-0000 - Y
04-2091-35-3-06-05-0000 - Y	04-2091-35-3-06-06-0000 - Y
04-2091-35-3-06-07-0000 - Y	04-2091-35-3-06-08-0000 - Y
04-2091-35-3-06-09-0000 - Y	04-2091-35-3-07-01-0000 - Y
04-2091-35-3-07-02-0000 - Y	04-2091-35-3-07-03-0000 - Y
04-2091-35-3-07-04-0000 - Y	04-2091-35-3-07-05-0000 - Y
04-2091-35-3-07-06-0000 - Y	04-2091-35-3-07-07-0000 - Y
04-2091-35-3-07-08-0000 - Y	04-2091-35-3-07-09-0000 - Y
04-2091-35-3-07-10-0000 - Y	04-2091-35-3-07-11-0000 - Y

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.

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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.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/06/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/18/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/02/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/05/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/19/94.

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

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/18/99.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/22/99.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/22/01.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 1920 RECEIVED 04/05/2002.

OWNERSHIP UPDATE TYPE 608 # 8080 RECEIVED 04/11/2003.

OWNERSHIP UPDATE TYPE 608 # 8551 RECEIVED 05/06/2003.

OWNERSHIP UPDATE TYPE 608 # 13039 RECEIVED 03/08/2004.

OWNERSHIP UPDATE TYPE 608 # 14606 RECEIVED 06/02/2004.

OWNERSHIP UPDATE TYPE 608 # 19228 RECEIVED 02/04/2005.

OWNERSHIP UPDATE TYPE 608 # 27989 RECEIVED 12/30/2005.

OWNERSHIP UPDATE TYPE DOR # 82271 RECEIVED 07/28/2009.

OWNERSHIP UPDATE TYPE DOR # 99995 RECEIVED 12/21/2011.

OWNERSHIP UPDATE TYPE DOR # 105221 RECEIVED 04/11/2012.

OWNERSHIP UPDATE TYPE DOR # 101318 RECEIVED 06/27/2012.

OWNERSHIP UPDATE TYPE DOR # 115096 RECEIVED 07/16/2013.

OWNERSHIP UPDATE TYPE DOR # 115097 RECEIVED 07/16/2013.

OWNERSHIP UPDATE TYPE DOR # 117260 RECEIVED 01/09/2014.

OWNERSHIP UPDATE TYPE DOR # 119347 RECEIVED 03/31/2014.

OWNERSHIP UPDATE TYPE 608 # 120725 RECEIVED 05/13/2014.

OWNERSHIP UPDATE TYPE DOR # 122797 RECEIVED 07/25/2014.

OWNERSHIP UPDATE TYPE DOR # 136285 RECEIVED 02/18/2015.

OWNERSHIP UPDATE TYPE DOR # 130534 RECEIVED 03/24/2015.

OWNERSHIP UPDATE TYPE DOR # 132917 RECEIVED 07/17/2015.

OWNERSHIP UPDATE TYPE DOR # 136160 RECEIVED 09/22/2015.

Remarks: