

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 151175-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

RONNIE R MITCHELL
PO BOX 17946
MISSOULA, MT 59808

BATTISTA LACATELLI
165 MOUNTAIN GOAT RD
HAMILTON, MT 59840

RIO LACATELLI
165 MOUNTAIN GOAT RD
HAMILTON, MT 59840

DORIS E LOCATELLI
165 MOUNTAIN GOAT RD
HAMILTON, MT 59840

ADA V HOSTETLER
232 CEDAR CREEK RD
PLAINS, MT 59859-9242

SAMUEL R HOSTETLER
809 CUFF LN
HAMILTON, MT 59840

GLENDA DZIURA
165 MOUNTAIN GOAT RD
HAMILTON, MT 59840

HORST DZIURA
165 MOUNTAIN GOAT RD
HAMILTON, MT 59840

BOBBIE V HECK
PO BOX 2043
HAMILTON, MT 59840

RONALD C CURDY
PO BOX 455
HAMILTON, MT 59840

MARIO LOCATELLI
165 MOUNTAIN GOAT RD
HAMILTON, MT 59840

XAVIER PASTOR
708 LITTLE SLEEPING CHILD
HAMILTON, MT 59840

MARIA I LOPEZ
708 LITTLE SLEEPING CHILD
HAMILTON, MT 59840

JANA C BUTLER
5345 DIVIDE VIEW RD
HELENA, MT 59602-9050

RAYMOND C BUTLER
5345 DIVIDE VIEW RD
HELENA, MT 59602-9050

MARK E DAVIDSON
1794 LITTLE SLEEPING CHILD RD
HAMILTON, MT 59840-8963

ROBIN D DAVIDSON
1794 LITTLE SLEEPING CHILD RD
HAMILTON, MT 59840-8963

JEFFREY ALTHOUSE
2559 PARK VIEW DR
EUGENE, OR 97408

CAITLIN WOODYARD
2559 PARK VIEW DR
EUGENE, OR 97408

MICHAEL WOOD
PO BOX 1439
HAMILTON, MT 59840-1439

ADAWN WOOD
PO BOX 1439
HAMILTON, MT 59840-1439

Priority Date: NOVEMBER 1, 1890

Enforceable Priority Date: NOVEMBER 1, 1890

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1.50 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: 60.00

Source Name: LITTLE SLEEPING CHILD 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	7	S2E2N2	6	4N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: HEADGATE

Ditch Name: ANDERSON-FISHER DITCH

2	12	N2E2S2	6	4N	20W	RAVALLI
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Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: HEADGATE

Ditch Name: ANDERSON DITCH

Period of Use: APRIL 1 to OCTOBER 1

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	11	NE	6	4N	20W	RAVALLI
2	18.00	7	SENE	6	4N	20W	RAVALLI
3	18.00	12	SENE	6	4N	20W	RAVALLI
4	5.00	8	SWNE	6	4N	20W	RAVALLI
5	18.00		NESE	6	4N	20W	RAVALLI

Total: 60.00

Geocodes/Valid:	13-1274-05-1-01-05-0000 - Y	13-1274-06-1-01-03-0000 - Y
	13-1274-06-1-01-04-0000 - Y	13-1274-06-1-01-14-0000 - Y
	13-1274-06-1-01-19-0000 - Y	13-1274-06-1-01-20-0000 - Y
	13-1274-06-1-01-21-0000 - Y	13-1274-06-1-01-24-0000 - Y
	13-1274-06-4-01-01-0000 - 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.

151174-00 151175-00 151176-00 151177-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/21/1997: PLACE OF USE, MAXIMUM ACRES.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/18/1996.

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/21/1997.
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/07/1997.
NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/14/1997.
NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/05/1997.
NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/07/1997.
WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/26/2000.
WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/06/2001.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 15334 RECEIVED 07/12/2004.
OWNERSHIP UPDATE TYPE 608 # 16689 RECEIVED 09/21/2004.
OWNERSHIP UPDATE TYPE 608 # 41770 RECEIVED 09/20/2006.
OWNERSHIP UPDATE TYPE DOR # 124323 RECEIVED 07/11/2014.
OWNERSHIP UPDATE TYPE DOR # 136397 RECEIVED 11/17/2015.
OWNERSHIP UPDATE TYPE DOR # 142002 RECEIVED 05/11/2016.
OWNERSHIP UPDATE TYPE DOR # 144774 RECEIVED 07/18/2016.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 60 MINER'S INCHES DECREED IN CASE NO. 866, RAVALLI COUNTY. 107975-00, 151175-00.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/27/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES AND SANDRA MOCKERMAN, TRUSTEES.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/27/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CLINTON AND BONNIE BRUGGEMANN.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/21/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY EDWARDS LAND TRUST.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 107975-00, 110555-00, 151175-00, 151176-00, 151177-00.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON FEDERAL LAND.

USDA AERIAL PHOTOGRAPH NO(S). 179-114 , DATED 08/02/1979 , APPEARS TO INDICATE 33.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CNR-2P-101 , DATED 08/01/1955 , APPEARS TO INDICATE 30.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED POINT OF DIVERSION MAY BE INCOMPLETE. IT APPEARS THERE SHOULD BE ADDITIONAL POINTS OF DIVERSION ON LITTLE SLEEPING CHILD CREEK WHICH COULD NOT BE IDENTIFIED FROM INFORMATION IN THE CLAIM FILE.