

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 151376-00 STATEMENT OF CLAIM
Version: 3 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: POTOMAC CORP
%JIM HAYDEN
18489 HIGHWAY 12 W
LOLO, MT 59847-8404

Priority Date: MAY 2, 1895
Enforceable Priority Date: MAY 2, 1895

Purpose (use): STOCK

Maximum Flow Rate:

Maximum Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF SOUTH FORK LOLO CREEK

Source Type: SURFACE WATER

Source Name: LOLO CREEK, SOUTH FORK

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		SE	31	12N	21W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: LOLO CREEK, SOUTH FORK

Diversion Means: HEADGATE

2		NENE	31	12N	21W	MISSOULA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: LOLO CREEK, SOUTH FORK

Diversion Means: HEADGATE

3		NWNW	32	12N	21W	MISSOULA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF SOUTH FORK LOLO CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4		NWNENW	32	12N	21W	MISSOULA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF SOUTH FORK LOLO CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

5		NENENW	32	12N	21W	MISSOULA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF SOUTH FORK LOLO CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
6		N2SWNW	32	12N	21W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF SOUTH FORK LOLO CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

7		SWNENW	32	12N	21W	MISSOULA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF SOUTH FORK LOLO CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

8		SESESW	29	12N	21W	MISSOULA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF SOUTH FORK LOLO CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Reservoir: OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	32	12N	21W	MISSOULA

Current Capacity: 0.30 ACRE-FEET

Reservoir: OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESWSW	29	12N	21W	MISSOULA

Current Capacity: 0.60 ACRE-FEET

Period of Use: JANUARY 1 to DECEMBER 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			E2SESE	30	12N	21W	MISSOULA
2			SWSESE	30	12N	21W	MISSOULA
3			NENE	31	12N	21W	MISSOULA
4			NWNW	32	12N	21W	MISSOULA
5			N2SWNW	32	12N	21W	MISSOULA
6			W2NENW	32	12N	21W	MISSOULA
7			NENENW	32	12N	21W	MISSOULA
8			S2SW	29	12N	21W	MISSOULA

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS.

THIS AUTHORIZATION IS SUBJECT TO THE CONDITION THAT THE OWNERS INSTALL ONE ADEQUATE MEASURING DEVICE AT EACH OF THE HEADGATES ON THE SOUTH FORK OF LOLO CREEK LOCATED IN THE SESWNE AND THE NENESW OF SEC. 31, TWP 12N, RGE 21W, REFERENCED AS POINT ¿A¿ AND ¿D¿ ON THE ENCLOSED MAPS. A THIRD DEVICE SHALL BE INSTALLED ON THE #5 DITCH AND LOCATED DOWNSTREAM FROM THE OVERFLOW DITCH FROM POND #3 IN THE NWNWNE OF SEC. 32, TWP 12N, RGE 21W, REFERENCED AS POINT ¿C¿ ON THE ENCLOSED MAPS. THE MEASURING DEVICE PRESENTLY LOCATED ON THE #4 DITCH LOCATED IN THE SWNENW, SEC. 32, TWP 12N, RGE 21W, REFERENCED AS POINT ¿B¿ ON THE ENCLOSED MAPS SHALL BE CHECKED FOR ACCURACY AND ADJUSTED AS NECESSARY.

IF THE GRAVITY FEED PIPELINE WITH ITS DIVERSION LOCATED IN THE SESWNE, SEC. 31 IS IN OPERATION, THEN THE COMBINED FLOW OF THE DITCHES WITH DIVERSIONS DESIGNATED AS POINT ¿A¿ AND ¿D¿ ABOVE SHALL NOT BE CARRYING MORE THAN 2.2 CFS INDIVIDUALLY OR IN COMBINATION.

THE APPROPRIATOR SHALL KEEP A WRITTEN RECORD OF THE FLOW AND VOLUME OF ALL WATERS DIVERTED BY THE GRAVITY SPRINKLER SYSTEM AND THE DITCHES WITH MEASURING DEVICES INSTALLED INCLUDING WHICH WATER RIGHTS ARE IN OPERATION, AS DISCUSSED ABOVE. THESE RECORDS SHALL INCLUDE THE PERIOD OF TIME, AND SHALL BE SUBMITTED BY NOVEMBER 30TH OF EACH YEAR AND/OR UPON REQUEST OF THE WATER RESOURCES REGIONAL OFFICE AT PO BOX 5004,

Remarks:

MISSOULA, MT 59806.