

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 151735-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
RICHARD E SMITH
521 N BURNT FORK
STEVENSVILLE, MT 59870

KAREN SMITH
521 N BURNT FORK RD
STEVENSVILLE, MT 59870

WILLIAM RATHBURN
PO BOX 782
STEVENSVILLE, MT 59870

JANET M RATHBURN
PO BOX 782
STEVENSVILLE, MT 59870

Priority Date: JUNE 1, 1866
Enforceable Priority Date: JUNE 1, 1866

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 1.00 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: 177.00

Source Name: NORTH SWAMP CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS SAPIEL CREEK

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		NWSWSE	25	9N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: DADE DITCH (HEADGATE 74)

2		SENESEW	25	9N	20W	RAVALLI
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: DADE DITCH (HEADGATE 76)

3		SESENE	26	9N	20W	RAVALLI
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: HOWARD-KEENAN DITCH (HEADGATE 77)

Period of Use: APRIL 1 to OCTOBER 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	20.00		SENW	25	9N	20W	RAVALLI
2	80.00		W2NW	25	9N	20W	RAVALLI
3	40.00		N2N2SW	25	9N	20W	RAVALLI
4	37.00		SENE	26	9N	20W	RAVALLI

Total: 177.00

Geocodes/Valid: 13-1764-25-1-01-08-0000 - Y 13-1764-25-1-01-14-0000 - Y
13-1764-25-1-01-15-0000 - Y 13-1764-26-4-01-13-0000 - 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.

151734-00 151735-00 151736-00 151737-00

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.

151735-00 151739-00

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 138268 RECEIVED 12/16/2015.

OWNERSHIP UPDATE TYPE DOR # 138372 RECEIVED 12/16/2015.

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ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/20/2009, A PORTION OF
THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD SMITH.
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