

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 151766-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: PATRICIA P DOUGLAS, TESTAMENTARY TRUST
% W E HOLMES, TRUSTEE
PO BOX 631
HARLOWTON, MT 59036

SCOTT FILBIN
8200 MORMON CREEK RD
LOLO, MT 59847-9800

Priority Date: JULY 12, 1971
Enforceable Priority Date: JULY 12, 1971

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER

Maximum Flow Rate: 80.00 GPM

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: 12.00

Source Name: LOLO 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		NENESE	33	12N	20W	MISSOULA

Period of Diversion: MAY 1 TO OCTOBER 14

Diversion Means: PUMP

Period of Use: MAY 1 to OCTOBER 14

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	12.00		N2NESE	33	12N	20W	MISSOULA

Total: 12.00

Geocodes/Valid: 04-2092-33-4-02-01-0000 - Y 04-2092-33-4-02-02-0000 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 107675 RECEIVED 12/28/2012.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON LOLO CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 12336, MISSOULA COUNTY.