

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 157891-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: JOHN R GARRETT
2824 SUNSET RANCH LN
STEVENSVILLE, MT 59870-6825

DAVID C THOMAS
2986 SUNSET RANCH LN
STEVENSVILLE, MT 59870

WILLIAM J SALTERBERG
2837 SUNSET RANCH LN
STEVENSVILLE, MT 59870

WHITNEY FENSKE
2417 S SUNSET BENCH RD
STEVENSVILLE, MT 59870

Priority Date: AUGUST 24, 1907
Enforceable Priority Date: AUGUST 24, 1907

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 5.00 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: 160.00

Source Name: BURNT FORK CREEK
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	14	8N	19W	RAVALLI

Period of Diversion: APRIL 15 TO OCTOBER 15
Diversion Means: HEADGATE
Ditch Name: HIGHLINE DITCH (HEADGATE 1)

Period of Use: APRIL 15 to OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00		NW	15	8N	19W	RAVALLI
Total:	160.00						

Geocodes/Valid: 13-1667-15-1-01-03-0000 - Y 13-1667-15-1-01-04-0000 - Y
13-1667-15-1-01-05-0000 - Y 13-1667-15-1-01-06-0000 - Y
13-1667-15-1-01-12-0000 - Y 13-1667-15-1-01-14-0000 - Y
13-1667-15-1-01-15-0000 - 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.

157891-00 157892-00

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

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/24/87.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 81602 RECEIVED 06/11/2009.

OWNERSHIP UPDATE TYPE DOR # 126005 RECEIVED 02/18/2011.

OWNERSHIP UPDATE TYPE DOR # 108023 RECEIVED 12/14/2012.

OWNERSHIP UPDATE TYPE DOR # 123580 RECEIVED 07/11/2014.

OWNERSHIP UPDATE TYPE DOR # 128128 RECEIVED 09/03/2014.

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

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 379-51 , DATED 08/16/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BURNT FORK CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 556, RAVALLI COUNTY.

A WITHDRAWAL OF INTEREST IN WATER RIGHT CLAIM WAS RECEIVED ON 05/16/2014. THE REDUCTION IN FLOW RATE AND TOTAL ACRES HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL CO-OWNERS. THESE ELEMENTS MAY BE EXCESSIVE.

A WITHDRAWAL OF INTEREST IN WATER RIGHT CLAIM WAS RECEIVED ON 05/20/2014. THE REDUCTION IN FLOW RATE AND TOTAL ACRES HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL CO-OWNERS. THESE ELEMENTS MAY BE EXCESSIVE.