

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: 41M 161498-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
GERALD M LEAR
PO BOX 621
CHOTEAU, MT 59422-0621

MARY FAYE LANGEVIN
% GERALD M. LEAR
PO BOX 621
CHOTEAU, MT 59422

KAY BEHRENS
% GERALD M. LEAR
PO BOX 621
CHOTEAU, MT 59422

ANN OKEEFE
% GERALD M. LEAR
PO BOX 621
CHOTEAU, MT 59422

JOAN CAMPBELL
% GERALD M. LEAR
PO BOX 621
CHOTEAU, MT 59422

LOIS GIOVANINI
% GERALD M. LEAR
PO BOX 621
CHOTEAU, MT 59422

NANCY PEARSON
% GERALD M. LEAR
PO BOX 621
CHOTEAU, MT 59422

Priority Date: MAY 1, 1892
Enforceable Priority Date: MAY 1, 1892

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 1.25 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 70.00

Source Name: SHEEP 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 | | NESENW | 25 | 28N | 9W | PONDERA |

Period of Diversion: MAY 1 TO JUNE 30

Diversion Means: HEADGATE

Period of Use: MAY 1 to JUNE 30

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 | 25.00 | | SESE | 24 | 28N | 9W | PONDERA |
| 2 | 30.00 | | NENE | 25 | 28N | 9W | PONDERA |
| 3 | 10.00 | | NWNE | 25 | 28N | 9W | PONDERA |
| 4 | 5.00 | | NESENW | 25 | 28N | 9W | PONDERA |
| Total: | 70.00 | | | | | | |

Geocodes/Valid:

26-3981-24-3-04-01-0000 - Y

26-3981-25-1-01-01-0000 - Y

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/2006: POINT OF DIVERSION, PLACE OF USE.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 25936 RECEIVED 11/08/2005.

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

THE PONDERA COUNTY WATER RESOURCES SURVEY (1964) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 282-79 , DATED 09/17/1982 , APPEARS TO INDICATE 15.70 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.