

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 166767-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: BELL FAMILY PROPERTIES LLC
1915 SLEEPING CHILD RD
HAMILTON, MT 59840-9779

THOMAS E EVANS
551 GOLF COURSE RD
HAMILTON, MT 59840

SOUTH HAMILTON CONGREGATION OF JEHOVAHS
WITNESSES
JOHN DUNCAN
435 HAYES CREEK RD
HAMILTON, MT 59840-9745

ALL VALLEY FLOORING INC
1285 S 1ST ST
HAMILTON, MT 59840-3023

CHAD B LAWRENCE
1350 COUNTRY RD
VICTOR, MT 59875

CRYSTAL L LAWRENCE
1350 COUNTRY RD
VICTOR, MT 59875

OWNER THOMAS E EVANS RETAINED. CONTRACT FOR DEED INTEREST.

Priority Date: SEPTEMBER 12, 1958

Enforceable Priority Date: SEPTEMBER 12, 1958

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: 2 - MODERATELY HIGH

Maximum Acres: 200.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER

Source Type: SURFACE WATER

THE SOURCE IS WATER COLLECTED IN A DRAIN DITCH.

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		NESENE	1	5N	21W	RAVALLI

Period of Diversion: MARCH 1 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: MARCH 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	40.00	1	NENE	1	5N	21W	RAVALLI
2	40.00		SWNE	1	5N	21W	RAVALLI
3	40.00	3	NENW	1	5N	21W	RAVALLI
4	80.00		S2SE	36	6N	21W	RAVALLI

Total: 200.00

Geocodes/Valid: 13-1366-01-1-01-09-0000 - Y 13-1366-01-1-01-10-0000 - Y
13-1366-01-1-01-22-0000 - Y 13-1366-01-1-01-23-0000 - Y
13-1467-36-4-01-01-0000 - Y 13-1467-36-4-01-63-0000 - Y

13-1467-36-4-01-66-0000 - Y

13-1467-36-4-01-67-0000 - Y

13-1467-36-4-01-68-0000 - Y

13-1467-36-4-01-69-0000 - Y

13-1467-36-4-01-70-0000 - 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.

99677-00 99678-00 166767-00

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 81356 RECEIVED 08/21/2009.

OWNERSHIP UPDATE TYPE DOR # 96739 RECEIVED 01/16/2011.

OWNERSHIP UPDATE TYPE DOR # 107807 RECEIVED 10/31/2012.

OWNERSHIP UPDATE TYPE DOR # 107870 RECEIVED 11/05/2012.

OWNERSHIP UPDATE TYPE DOR # 138968 RECEIVED 01/11/2016.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/11/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STELLA R. LEE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/11/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY GARRY T. SHOOK.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/11/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY PEPPERBOX RANCH.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 68.29 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-116 , DATED 08/02/1979 APPEARS TO INDICATE 44.19 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.