

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: 76LJ 166818-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

DAVID B TUTVEDT
1145 CHURCH DR
KALISPELL, MT 59901

CRAIG H TUTVEDT
1145 CHURCH DR
KALISPELL, MT 59901

BRUCE P TUTVEDT
2335 WEST VALLEY DR
KALISPELL, MT 59901

LINDA E TUTVEDT
2335 WEST VALLEY DR
KALISPELL, MT 59901

GROSSWILER DAIRY INC
PO BOX 952
KALISPELL, MT 59903

D & K DEVELOPMENT LLP
359 RAY LN
LOMA, MT 59460-7726

THELMA M JOHNSON
109 PALMER DR
KALISPELL, MT 59901

SEVER/SELL RECEIVED PROCESSED TO ADD OWNERS. WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

Priority Date: APRIL 30, 1982

Enforceable Priority Date: APRIL 30, 1982

THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE FILING DATE OF THE STATEMENT OF CLAIM. THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.

THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA.

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER

Maximum Flow Rate: 5.57 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: 920.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

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	22	29N	22W	FLATHEAD

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: WELL

Period of Use: APRIL 15 to OCTOBER 15

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		NENE	22	29N	22W	FLATHEAD
2	40.00		NWNE	22	29N	22W	FLATHEAD
3	40.00		SENE	22	29N	22W	FLATHEAD

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>
4	40.00		SWNE	22	29N	22W	FLATHEAD
5	40.00		NESE	22	29N	22W	FLATHEAD
6	40.00		NWSE	22	29N	22W	FLATHEAD
7	40.00		SESE	22	29N	22W	FLATHEAD
8	40.00		SWSE	22	29N	22W	FLATHEAD
9	40.00		SWNE	23	29N	22W	FLATHEAD
10	40.00		SENE	23	29N	22W	FLATHEAD
11	40.00		SWNW	23	29N	22W	FLATHEAD
12	40.00		NWSE	23	29N	22W	FLATHEAD
13	40.00		SWSE	23	29N	22W	FLATHEAD
14	40.00		NESW	23	29N	22W	FLATHEAD
15	40.00		NWSW	23	29N	22W	FLATHEAD
16	40.00		SESW	23	29N	22W	FLATHEAD
17	40.00		SWSW	23	29N	22W	FLATHEAD
18	40.00		NWNE	26	29N	22W	FLATHEAD
19	40.00		SWNE	26	29N	22W	FLATHEAD
20	40.00		NENW	26	29N	22W	FLATHEAD
21	40.00		NWNW	26	29N	22W	FLATHEAD
22	40.00		SENE	26	29N	22W	FLATHEAD
23	40.00		SWNW	26	29N	22W	FLATHEAD
Total:	920.00						

Geocodes/Valid: 07-4077-22-1-01-01-0000 - Y 07-4077-22-4-01-01-0000 - Y
 07-4077-22-4-01-20-0000 - Y 07-4077-23-3-01-01-0000 - Y
 07-4077-23-3-01-50-0000 - Y 07-4077-23-3-01-60-0000 - Y
 07-4077-26-1-01-20-0000 - Y 07-4077-26-1-01-30-0000 - Y
 07-4077-26-2-01-01-0000 - Y

Remarks:

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/04/1985.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/04/1984.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 83790 RECEIVED 11/30/2010.

OWNERSHIP UPDATE TYPE DOR # 142521 RECEIVED 05/18/2016.

AN AMENDMENT WAS SUBMITTED ON 12/23/2009 REQUESTING TO AMEND THE PLACE OF USE, MAXIMUM ACRES, PRIORITY DATE, TYPE OF HISTORICAL RIGHT . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

AS OF 06/19/2008 A PORTION OF THIS WATER RIGHT APPEARS TO BE OWNED BY THE FOLLOWING:

PAUL BLEY, PO BOX 10695, KALISPELL, MT 59904,
 VERNON R. JOHNSON, 109 PALMER DR., KALISPELL, MT 59901,
 LBO PROPERTIES LIMITED PARTNER, 136 RIVERVIEW DR., KALISPELL, MT 59901,
 DON R AND MARIE J RHODES, 1723 W SPRINGCREEK RD., KALISPELL, MT 59901,
 JTL GROUP INC., PO BOX 147, KALISPELL, MT 59903.

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.