

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 9829-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
DONALD D BESSIRE
76 TEAL LN
HAMILTON, MT 59840

ANGELA R BESSIRE
76 TEAL LN
HAMILTON, MT 59840

JODI E NEEDLES
431 GRANTS DALE RD
HAMILTON, MT 59840

JEFFREY S VAN LUCHENE
431 GRANTS DALE RD
HAMILTON, MT 59840

FOSTER, WILLIAM A & SHIRLEY A TRUST
%WILLIAM A & SHIRLEY A FOSTER, TRUSTEES
300 TYRA LEA LN
HAMILTON, MT 59840

EQUITY TRUST COMPANY CUSTODIAN FBO
ROBERT M PAULEY IRA
561 STOCKADE DR
CORVALLIS, MT 59828-9108

REVERSE MORTGAGE SOLUTIONS INC
14405 WALTERS RD STE 200
HOUSTON, TX 77014

SMITH VALLEY ESTATES LLC
354 FOREST HILL RD
HAMILTON, MT 59840

JACALYN M OSBURN
112 FREEZE LN
HAMILTON, MT 59840

L DARRYL OSBURN
112 FREEZE LN
HAMILTON, MT 59840-3142

Priority Date: MAY 1, 1873

Enforceable Priority Date: MAY 1, 1873

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 336.60 GPM

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: 20.00

Source Name: SKALKAHO 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENENW	7	5N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: HEADGATE

Ditch Name: REPUBLICAN DITCH

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2- SECONDARY		NESENW	6	5N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: HEADGATE

Ditch Name: HARRIS LATERAL

WATER FROM SKALKAHO CREEK IS CONVEYED THROUGH REPUBLICAN DITCH TO THE HARRIS LATERAL DITCH TO THE PLACE OF USE.

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: APRIL 1 to OCTOBER 1

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	20.00	3	S2NENW	6	5N	20W	RAVALLI
Total:	20.00						

Geocodes/Valid:	13-1367-06-2-02-38-0000 - Y	13-1367-06-2-02-46-0000 - Y
	13-1367-06-2-02-54-0000 - Y	13-1367-06-2-04-01-0000 - Y
	13-1367-06-2-04-02-0000 - Y	13-1367-06-2-04-03-0000 - Y
	13-1367-06-2-04-04-0000 - Y	13-1367-06-2-04-05-0000 - Y
	13-1367-06-2-04-06-0000 - Y	13-1367-06-2-04-07-0000 - Y
	13-1367-06-2-04-08-0000 - Y	13-1367-06-2-04-09-0000 - Y
	13-1367-06-2-04-10-0000 - Y	13-1367-06-2-04-11-0000 - 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.

9828-00 9829-00

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 91945 RECEIVED 03/09/2010.
 OWNERSHIP UPDATE TYPE DOR # 97179 RECEIVED 05/01/2011.
 OWNERSHIP UPDATE TYPE DOR # 97112 RECEIVED 05/02/2011.
 OWNERSHIP UPDATE TYPE DOR # 108983 RECEIVED 01/14/2013.
 OWNERSHIP UPDATE TYPE DOR # 125207 RECEIVED 09/30/2014.
 OWNERSHIP UPDATE TYPE DOR # 129400 RECEIVED 03/02/2015.
 OWNERSHIP UPDATE TYPE DOR # 143433 RECEIVED 02/16/2016.
 OWNERSHIP UPDATE TYPE DOR # 144782 RECEIVED 02/16/2016.
 OWNERSHIP UPDATE TYPE DOR # 144783 RECEIVED 03/28/2016.
 OWNERSHIP UPDATE TYPE DOR # 147203 RECEIVED 06/01/2016.
 OWNERSHIP UPDATE TYPE DOR # 147204 RECEIVED 06/01/2016.
 OWNERSHIP UPDATE TYPE DOR # 149345 RECEIVED 10/06/2016.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 15 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 9829-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/26/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SHARON & JOSEPH FULTON, 150 TEAL LN, HAMILTON, MT 59840.

Remarks:

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/26/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES J & WANDA L EDINGER, 4001 WILDFOWL LN, STEVENSVILLE, MT 59870.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/26/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ZANE & GAIL WATTS, 97 TEAL LN, HAMILTON, MT 59840.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/26/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LUCAS A LOREA & MAURA MILLER, 98 TEAL LN, HAMILTON, MT 59840.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/26/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JONATHAN C DECKER, 75 TEAL LN, HAMILTON, MT 59840.