

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: 76D 211638-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: CHAD YOUNGLOVE
PO BOX 1772
EUREKA, MT 59917

BORDERTOWN
PO BOX 1050
EUREKA, MT 59917-1050

VALERIE R HOGAN
73 POVERTY FLATS RD
EUREKA, MT 59917

BROKEN SPUR LAND & LIVESTOCK INC
PO BOX 3043
WINNEMUCCA, NV 89446-3043

BELLECY 1, LLC
12407 MUKILETO SPEEDWAY, SUITE 135
LYNNWOOD, WA 98087

ROBERT L HARR
PO BOX 2260
EUREKA, MT 59917

MAUREEN K HARR
PO BOX 2260
EUREKA, MT 59917

Priority Date: JUNE 30, 1890
Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 12/30/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: FILED
Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER
Maximum Flow Rate: 2,000.00 GPM
Maximum Volume: 547.00 AC-FT
Climatic Area: 3 - MODERATE
Maximum Acres: 227.00
Source Name: PHILLIPS 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		SWSWNW	1	37N	27W	LINCOLN

Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: MAY 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	4	NWSW	1	37N	27W	LINCOLN
2	2.00	3	NESW	1	37N	27W	LINCOLN
3	27.00		S2SW	1	37N	27W	LINCOLN
4	6.00	1	NESE	2	37N	27W	LINCOLN
5	24.00		SESE	2	37N	27W	LINCOLN
6	1.00		NWNWNW	12	37N	27W	LINCOLN
7	28.00		NENE	11	37N	27W	LINCOLN

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>
8	6.00		E2NWNE	11	37N	27W	LINCOLN
9	11.00		W2SENE	11	37N	27W	LINCOLN
10	18.00		SWNE	11	37N	27W	LINCOLN
11	35.00		N2SE	11	37N	27W	LINCOLN
12	18.00		W2SWSE	11	37N	27W	LINCOLN
13	1.00		SENESEW	11	37N	27W	LINCOLN
14	10.00		E2SESEW	11	37N	27W	LINCOLN
Total:	227.00						

<u>Geocodes/Valid:</u>		
	56-4928-01-2-01-01-0000 - Y	56-4928-01-2-01-02-0000 - Y
	56-4928-01-2-01-05-0000 - Y	56-4928-01-2-01-08-0000 - Y
	56-4928-01-2-01-12-0000 - Y	56-4928-01-2-01-15-0000 - Y
	56-4928-01-2-01-20-0000 - Y	56-4928-02-1-01-02-0000 - Y
	56-4928-02-1-01-10-0000 - Y	56-4928-11-1-01-01-0000 - Y
	56-4928-11-1-01-11-0000 - Y	56-4928-11-1-01-15-0000 - Y
	56-4928-11-1-01-16-0000 - Y	56-4928-11-1-01-90-0000 - Y
	56-4928-11-1-02-01-0000 - Y	56-4928-11-1-02-04-0000 - Y
	56-4928-11-1-02-07-0000 - Y	56-4928-11-1-02-10-0000 - Y
	56-4928-11-1-02-13-0000 - Y	56-4928-11-1-02-16-0000 - Y
	56-4928-11-3-01-01-0000 - Y	56-4928-11-3-03-01-0000 - Y
	56-4928-12-2-01-25-0000 - Y	

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/89.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 87062 RECEIVED 05/28/2009.

OWNERSHIP UPDATE TYPE DOR # 142322 RECEIVED 12/27/2010.

OWNERSHIP UPDATE TYPE DOR # 93660 RECEIVED 06/30/2011.

OWNERSHIP UPDATE TYPE DOR # 117238 RECEIVED 01/27/2014.

CLAIM WAS NOT INCLUDED IN THE BASIN 76D TEMPORARY PRELIMINARY DECREE ISSUED 03/22/84.

THIS CLAIM PRESENTS ISSUES OF FACT AND LAW THAT MAY BE ADDRESSED AT THE OBJECTION STAGE. IT APPEARS THAT 195 ACRES ARE ACTUALLY IRRIGATED AND PROBLEMS COULD EXIST WITH FLOW RATE AND VOLUME. TO ASSURE THE ORDERLY ADMINISTRATION OF WATER RIGHTS, THE WATER COURTS WILL SET A HEARING TO DETERMINE THESE ISSUES IF NO OBJECTIONS ARE MADE.

CLAIM FILED LATE 12/30/85 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.