

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 216047-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: PAT D WARNER
120 SCHRADE RD
KALISPELL, MT 59901

DARREN C FIX
180 SCHRADE RD
KALISPELL, MT 59901

VALLEY BANK OF KALISPELL
PO BOX 48
KALISPELL, MT 59901

Priority Date: MAY 24, 1966
Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/28/1996 . 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: 250.00 GPM
Maximum Volume: PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.
Climatic Area: 3 - MODERATE

Maximum Acres: 146.70
Source Name: MANMADE PIT, UNNAMED TRIBUTARY OF STILLWATER RIVER
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		SESESE	1	29N	22W	FLATHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: PIT

THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESESE	1	29N	22W	FLATHEAD

Diversion to Reservoir: DIVERSION # 1
Depth: 10.00 FEET
Surface Area: 0.17 ACRES
Current Capacity: 0.85 ACRE-FEET
THE SURFACE AREA, DEPTH, AND MAXIMUM VOLUME BEEN ESTIMATED BY DNRC.

Period of Use: APRIL 1 to NOVEMBER 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	40.00	7	SWSW	6	29N	21W	FLATHEAD
2	29.10	1	NWNW	7	29N	21W	FLATHEAD
3	36.00		NESE	1	29N	22W	FLATHEAD
4	36.00		SESE	1	29N	22W	FLATHEAD
5	5.60		NENE	12	29N	22W	FLATHEAD
Total:	146.70						

07-4077-01-4-02-35-0000 - Y

07-4077-01-4-02-65-0000 - Y

07-4077-12-1-01-05-0000 - Y

07-4078-06-3-01-01-0000 - Y

07-4078-07-2-01-25-0000 - Y

07-4078-07-2-01-35-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 58104 RECEIVED 04/30/2008.

OWNERSHIP UPDATE TYPE DOR # 85982 RECEIVED 08/18/2010.

OWNERSHIP UPDATE TYPE DOR # 85677 RECEIVED 04/08/2011.

THE LOW FLOW RATE TO ACRES RATIO FOR THIS CLAIM, 1.7 GPM/ACRE, MAY INDICATE AN EXPANSION OF THE HISTORICAL RIGHT.

THE CLAIMED FLOW RATE MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THIS CLAIM INDICATES A FLOW RATE OF 44.88 GPM.

CLAIM FILED LATE 06/28/1996 . 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.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/12/2016, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY FRETZ, VLACHOS, AND IMMACULATE CONCEPTION CHAPEL.