

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 110828-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: JOAN A DEIST
DECEASED
880 THREE MILE DR
KALISPELL, MT 59901-7142

NANCY K NELSON
880 THREE MILE DR
KALISPELL, MT 59901

DUANE K NELSON
880 THREE MILE DR
KALISPELL, MT 59901

Priority Date: OCTOBER 13, 1883
Enforceable Priority Date: OCTOBER 13, 1883

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 80.00 AC-FT
Climatic Area: 3 - MODERATE

Maximum Acres: 32.00

Source Name: UNNAMED TRIBUTARY OF SMITH SPRING 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		SWNE	10	28N	22W	FLATHEAD

Period of Diversion: MAY 1 TO OCTOBER 1
Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNE	10	28N	22W	FLATHEAD

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET
Depth: 10.00 FEET
Surface Area: 3.00 ACRES
Current Capacity: 12.00 ACRE-FEET

THE CAPACITY, DAM HEIGHT, MAXIMUM DEPTH AND SURFACE AREA BEEN ESTIMATED BY DNRC.

Period of Use: MAY 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	32.00		NENE	10	28N	22W	FLATHEAD

Total: 32.00

Geocodes/Valid: 07-3965-10-1-01-11-0000 - Y

Remarks:

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 76LJ 532-00, 76LJ 6103-00 AND 76LJ 110828-00.

Remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER SYSTEM WAS FIRST PUT TO USE.

THE MAXIMUM STORAGE CAPACITY OF THIS RESERVOIR MAY BE QUESTIONABLE. ACCORDING TO DNRC ESTIMATES, THE MAXIMUM STORAGE CAPACITY IS 12.0 ACRE-FEET.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 6.6 TIMES THE CAPACITY OF THE RESERVOIR.