

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: 76GJ 12083-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Version Status: ACTIVE

Owners: RICHARD H LACEY
56 E MULLAN TR
DRUMMOND, MT 59832

LINDA A LACEY
56 E MULLAN TRL
DRUMMOND, MT 59832

KT RANCH LLC
% SIDNEY N HERMAN
3800 N LAKE SHORE DR #15B
CHICAGO, IL 60613-3313

CAROL J CALDWELL
64 GRASSLAND DR
DRUMMOND, MT 59832

TONY E CALDWELL
64 GRASSLAND DR
DRUMMOND, MT 59832

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: MAY 15, 1881

Enforceable Priority Date: MAY 15, 1881

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 2.30 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 140.00

Source Name: LOWER WILLOW 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		NENWNW	24	10N	13W	GRANITE

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: COBERLY-HENDERSON-MORSE DITCH

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	15.00		W2SWSW	7	10N	12W	GRANITE
2	30.00		NWNW	18	10N	12W	GRANITE
3	40.00		E2SE	12	10N	13W	GRANITE
4	15.00		S2NESE	12	10N	13W	GRANITE
5	40.00		NENE	13	10N	13W	GRANITE
Total:	140.00						

Geocodes/Valid: 46-1877-12-4-01-01-0000 - Y 46-1877-12-4-04-03-0000 - Y
46-1877-12-4-04-04-0000 - Y 46-1878-07-3-01-01-0000 - Y
46-1878-18-2-02-02-0000 - Y

Remarks:

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.

12079-00 12080-00 12081-00 12083-00 12084-00 12085-00 101683-00

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 16547 RECEIVED 09/15/2004.

OWNERSHIP UPDATE TYPE 608 # 39476 RECEIVED 06/21/2006.

OWNERSHIP UPDATE TYPE DOR # 93928 RECEIVED 01/07/2011.

AN AMENDMENT WAS SUBMITTED ON 01/07/2016 REQUESTING TO AMEND THE POINT OF DIVERSION . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

AN AMENDMENT WAS SUBMITTED ON 01/21/2016 REQUESTING TO AMEND THE POINT OF DIVERSION . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

ON 01/07/2016 A MOTION TO AMEND THE PLACE OF USE, POINT OF DIVERSION, AND MEANS OF DIVERSION WAS FILED BY ONE OF THE CLAIMANTS. THIS WILL BE HEARD AFTER NOTICE ON THE PRELIMINARY DECREE OBJECTION LIST.

DITCH NAME MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.