

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 147127-00 STATEMENT OF CLAIM
Version: 4 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: BEACH, ANITA L TRUST
4985 WHITEFISH STAGE RD
WHITEFISH, MT 59937

BRISHKA TRUST
% ALEXANDER R & ILMA BRISHKA
19061 NORWOOD TERRACE
IRVINE, CA 92612

ANITA J MILLS
4985 WHITEFISH STAGE RD
WHITEFISH, MT 59937

JAMES D MILLS
4985 WHITEFISH STAGE RD
WHITEFISH, MT 59937

CARLSON, D & K FAMILY LIMITED PARTNERSHIP
120 K LAZY D RANCH RD
WHITEFISH, MT 59937-8474

RETZ HOLDINGS LLC
PO BOX 4449
WHITEFISH, MT 59937

IRON HORSE GOLF CLUB INC
2150 IRON HORSE DR
WHITEFISH, MT 59937

Priority Date: OCTOBER 31, 1900
Enforceable Priority Date: OCTOBER 31, 1900

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER
Maximum Flow Rate: 800.00 GPM
Maximum Volume: 312.00 AC-FT
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 136.00
Source Name: WHITEFISH RIVER (WHITEFISH LAKE)
Source Type: SURFACE WATER
Source Name: WHITEFISH RIVER
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			SWNE	21	30N	21W	FLATHEAD

Period of Diversion: APRIL 15 TO OCTOBER 19
Source Name: WHITEFISH RIVER
Diversion Means: PUMP

2			SWSNW	24	31N	22W	FLATHEAD
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Period of Diversion: APRIL 15 TO OCTOBER 19
Source Name: WHITEFISH RIVER (WHITEFISH LAKE)
Diversion Means: PUMP

Reservoir: OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENWSW	13	31N	22W	FLATHEAD

Depth: 25.00 FEET
Surface Area: 0.80 ACRES
Current Capacity: 10.00 ACRE-FEET

Period of Use: APRIL 15 to OCTOBER 19

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	10.00		NESE	17	30N	21W	FLATHEAD
3	13.00		NWSW	16	30N	21W	FLATHEAD
4	15.00		SWSW	16	30N	21W	FLATHEAD
6	18.00		SESW	16	30N	21W	FLATHEAD
7	62.99			13	31N	22W	FLATHEAD
8	17.01		NW	24	31N	22W	FLATHEAD
Total:	136.00						

200 AF OF THIS WATER RIGHT IS ASSOCIATED WITH 80 ACRES ENCOMPASSED BY IRON HORSE GOLF COURSE. 112 AF IS ASSOCIATED WITH THE REMAINING 56 ACRES OF THE CLAIMED PLACE OF USE.

Geocodes/Valid: 07-4185-16-3-01-01-0000 - Y 07-4185-16-3-01-03-0000 - Y
 07-4185-16-3-01-05-0000 - Y 07-4185-16-3-01-99-0000 - Y

Remarks:

THE POINT OF DIVERSION BEING AUTHORIZED BY THIS CHANGE (VERSION 4) IN THE SW¼ SW¼ NW¼, SECTION 24, TWP. 31N, RGE 22W CANNOT BE OPERATED AT THE SAME TIME AS THE DIVERSION IN THE SW¼ NE¼ NE¼, SECTION 21, TWP. 30N, RGE 21W AUTHORIZED BY VERSION 3 (14712701).

THE RIGHT ISSUED ON 4/18/2000 WAS REISSUED. THE RIGHT WAS REISSUED BECAUSE THE VOLUME AND FLOW RATE AND LEGAL LAND DESCRIPTION OF THE PLACE OF USE WAS CORRECTED.

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER AT A POINT IN THE DELIVERY LINE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN YEARLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED, INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

OWNERSHIP UPDATE RECEIVED

- OWNERSHIP UPDATE TYPE 608 # 13585 RECEIVED 10/08/2002.
- OWNERSHIP UPDATE TYPE 608 # 13584 RECEIVED 10/09/2002.
- OWNERSHIP UPDATE TYPE 608 # 19077 RECEIVED 01/28/2005.
- OWNERSHIP UPDATE TYPE 608 # 41310 RECEIVED 07/18/2005.
- OWNERSHIP UPDATE TYPE 608 # 53805 RECEIVED 01/28/2008.
- OWNERSHIP UPDATE TYPE DOR # 120247 RECEIVED 01/19/2011.
- OWNERSHIP UPDATE TYPE DOR # 119241 RECEIVED 02/08/2013.