

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:** 76H 147825-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** TAMMIS DAY TRUST  
%DAY TAMMIS ADDISON TRUSTEE  
140 EDWARDS RD  
SULA, MT 59871

BERRYHILL THOMAS C & LORETTA K 2001 TRUST  
THOMAS C & LORETTA K BERRYHILL, TRUSTEES  
660 GEER CT  
MODESTO, CA 95354

**Priority Date:** MAY 5, 1919

**Enforceable Priority Date:** MAY 5, 1919

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

A PORTION OF THE PLACE OF USE IS SUBIRRIGATED. THE SUBIRRIGATION IS CONTROLLED BY THE HEADGATE AT THE CLAIMED POINT OF DIVERSION.

**Maximum Flow Rate:** 5.00 CFS

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

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 153.00

**Source Name:** UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF EAST FORK BITTERROOT RIVER

**Source Type:** SURFACE WATER

SOURCE IS COMPRISED OF WASTE AND SEEPAGE WATER THAT IS COLLECTED IN BUSH-MCKEE DITCH.

**Source Name:** WASTE & SEEPAGE, UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF EAST FORK BITTERROOT RIVER

**Source Type:** SURFACE WATER

SOURCE IS COMPRISED OF WASTE AND SEEPAGE WATER THAT IS COLLECTED IN BUSH-MCKEE DITCH.

**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		NENWNE	5	1N	19W	RAVALLI

**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Source Name:** WASTE & SEEPAGE, UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF EAST FORK BITTERROOT RIVER

**Diversion Means:** DITCH

2		E2SWSE	11	1N	19W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Source Name:** UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF EAST FORK BITTERROOT RIVER

**Diversion Means:** DITCH

**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	33.00		NWNW	15	1N	19W	RAVALLI
2	18.00		N2NENW	15	1N	19W	RAVALLI
3	7.00		SWNW	15	1N	19W	RAVALLI
4	29.00		SWNE	16	1N	19W	RAVALLI
5	30.00		NENE	16	1N	19W	RAVALLI
6	36.00		SENE	16	1N	19W	RAVALLI

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<b>Total:</b>	153.00						
<b>Geocodes/Valid:</b>		13-0971-15-1-01-03-0000 - Y				13-0971-16-1-01-01-0000 - Y	
		13-0971-16-1-01-02-0000 - Y				13-0971-16-1-01-04-0000 - Y	

**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.

147822-00 147823-00 147824-00 147825-00 212299-00

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME MEANS OF DIVERSION AND POINT OF DIVERSION.

102372-00 147825-00 147831-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

147825-00 147831-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/02/92: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 03/30/88.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/27/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/03/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/06/96.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/22/94.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 20932 RECEIVED 04/28/2005.

OWNERSHIP UPDATE TYPE 608 # 20931 RECEIVED 04/28/2005.

OWNERSHIP UPDATE TYPE 608 # 72190 RECEIVED 01/09/2009.

OWNERSHIP UPDATE TYPE 608 # 72130 RECEIVED 01/09/2009.