

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 212299-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

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

**Priority Date:** JUNE 1, 1895

**Enforceable Priority Date:** JUNE 1, 1895

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 4.85 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**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:** 128.00

**Source Name:** REIMEL 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		SESENW	15	1N	19W	RAVALLI

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

**Diversion Means:** HEADGATE

**Ditch Name:** MIDDLE SPEER DITCH

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

**Diversion Means:** HEADGATE

**Ditch Name:** LOWER SPEER DITCH

3		SESENW	15	1N	19W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Ditch Name:** BUSH-MCKEE DITCH

DITCH NAME FOR DIVERSION NO. 1 IS: MIDDLE SPEER DITCH  
DITCH NAME FOR DIVERSION NO.3 IS: BUSH-MCKEE DITCH  
DITCH NAME FOR DIVERSION NO.2 IS: LOWER SPEER 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	2.00		NWNWSE	15	1N	19W	RAVALLI
2	5.00		W2SWNE	15	1N	19W	RAVALLI
3	8.00		NESENW	15	1N	19W	RAVALLI
4	19.00		NENW	15	1N	19W	RAVALLI
5	15.00		SWNW	15	1N	19W	RAVALLI
6	26.00		NWNW	15	1N	19W	RAVALLI
7	11.00		NENE	16	1N	19W	RAVALLI
8	31.00		SENE	16	1N	19W	RAVALLI
9	11.00		SWNE	16	1N	19W	RAVALLI

**Total:** 128.00

**Geocodes/Valid:** 13-0971-15-1-01-03-0000 - Y

13-0971-16-1-01-01-0000 - Y

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**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 PLACE OF USE.

102372-00 147823-00 147824-00 147832-00 147833-00 212299-00 213218-00

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.

212299-00 213218-00

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

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. W147824-00.

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

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

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

**OWNERSHIP UPDATE RECEIVED**

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

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

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