

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 30003647 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** CYNTHIA L BRENGMAN  
179 JUNIPER WAY  
STEVENSVILLE, MT 59870  
  
KRISTIN K FULLER  
179 JUNIPER WAY  
STEVENSVILLE, MT 59870  
  
KSR HOLDINGS, LLC  
%KOOTENAI SPRINGS RANCH LLC  
7014 SE HARBOR CIRCLE  
STUART, FL 34996  
  
HAMILTON FAMILY LIMITED PARTNERSHIP  
258 PASO DR  
PO BOX 550  
VICTOR, MT 59875

**Priority Date:** JUNE 10, 1907  
**Enforceable Priority Date:** JUNE 10, 1907

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 7.77 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:** 207.14

**Source Name:** UNNAMED TRIBUTARY OF BIG 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		NWNESW	17	8N	20W	RAVALLI

**Period of Diversion:** MARCH 31 TO NOVEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** RIVER DITCH

**Period of Use:** MARCH 31 to NOVEMBER 30

**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	80.00		W2W2	4	8N	20W	RAVALLI
2	40.00		SENE	5	8N	20W	RAVALLI
3	34.00		NESE	5	8N	20W	RAVALLI
4	23.14		NWSE	5	8N	20W	RAVALLI
5	25.00		SESE	5	8N	20W	RAVALLI
6	5.00		E2NESW	5	8N	20W	RAVALLI
<b>Total:</b>	207.14						

**Geocodes/Valid:** 13-1666-04-1-01-11-0000 - Y 13-1666-04-1-01-12-0000 - Y  
13-1666-04-1-01-13-0000 - Y 13-1666-04-1-01-14-0000 - Y  
13-1666-04-1-01-15-0000 - Y 13-1666-05-1-01-06-0000 - Y  
13-1666-05-1-01-07-0000 - Y 13-1666-05-1-01-09-0000 - Y  
13-1666-05-1-01-10-0000 - Y 13-1666-05-1-01-16-0000 - Y  
13-1666-05-1-01-20-0000 - Y 13-1666-05-1-01-21-0000 - Y  
13-1666-05-1-01-22-0000 - Y 13-1666-05-1-01-24-0000 - 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.

151520-00 151523-00 30002036 30003647 30003648

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

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 151521-00.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 82645 RECEIVED 06/05/2009.

OWNERSHIP UPDATE TYPE DOR # 115746 RECEIVED 10/29/2013.

OWNERSHIP UPDATE TYPE DOR # 115465 RECEIVED 11/08/2013.

AN AMENDMENT WAS SUBMITTED ON 06/10/2015 REQUESTING TO AMEND THE FLOW RATE, PLACE OF USE & TOTAL ACRES . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

CLAIM WAS NOT INCLUDED IN THE BASIN 76HF PRELIMINARY DECREE ISSUED 1/14/1998.

CLAIM WILL BE INCLUDED IN THE BASIN 76HA DECREE EVEN THOUGH IT IS A BASIN 76HF CLAIM. CLAIM WAS MISSED IN DECREE DURING PROCEEDINGS OF SUB-BASIN 76HF.

ACREAGE OWNED BY CLAIMANTS WITHIN PLACE OF USE APPEARS TO BE 178 ACRES.

USDA AERIAL PHOTOGRAPH NO. CNR-2P-79 , DATED 08/01/1955 APPEARS TO INDICATE 158 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-124 , DATED 08/02/1979 APPEARS TO INDICATE 162.5 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.