

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: 76L 15152-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
FRANK POPE
58866 FOOTHILL RD
SAINT IGNATIUS, MT 59865

DAVID J POPE
58866 FOOTHILL RD
SAINT IGNATIUS, MT 59865

MARILYN J JURENKA
58866 FOOTHILL RD
SAINT IGNATIUS, MT 59865

Priority Date: DECEMBER 31, 1889
Enforceable Priority Date: DECEMBER 31, 1889

Type of Historical Right: FILED

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

Maximum Flow Rate: 15.00 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: 410.00

Source Name: ASHLEY CREEK
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>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SESE	33	19N	19W LAKE

Period of Diversion: APRIL 1 TO OCTOBER 30

Diversion Means: HEADGATE

Ditch Name: PEON DITCH

Period of Use: APRIL 1 to OCTOBER 30

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>
1	30.00		N	WNW	4	18N	19W LAKE
2	40.00			SESE	32	19N	19W LAKE
3	40.00			NWNE	33	19N	19W LAKE
4	40.00			NENW	33	19N	19W LAKE
5	80.00			S2NW	33	19N	19W LAKE
6	20.00			NESE	33	19N	19W LAKE
7	40.00			NWSE	33	19N	19W LAKE
8	80.00			N2SW	33	19N	19W LAKE
9	40.00			SWSW	33	19N	19W LAKE
Total:	410.00						

Geocodes/Valid: 15-2754-04-1-01-06-0000 - Y 15-2869-32-1-01-02-0000 - Y
15-2869-33-1-01-04-0000 - Y 15-2869-33-1-01-07-0000 - Y
15-2869-33-1-01-09-0000 - Y

Remarks:

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.

15150-00 15151-00 15152-00

Remarks:

THE FLOW RATE AND VOLUME WAS AMENDED BY THE CLAIMANT ON 9/26/1984.

APPLICATION FOR CHANGE RECEIVED 10/05/1984 FOR CHANGE IN POINT OF DIVERSION AND PLACE OF USE. SEE 76L 15152-00 FILE REFLECTS AUTHORIZATION TO CHANGE THE POINT OF DIVERSION COMPLETED 11/24/1986. SEE 76L 15150-00

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

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 119702 RECEIVED 12/22/2010.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 76L-15152 00.

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

THE CLAIMED PRIORITY DATE PREDATES THE FILED NOTICE OF APPROPRIATION. THE CLAIMED PRIORITY DATE AND TYPE OF HISTORICAL RIGHT CANNOT BE SUBSTANTIATED.

THREE APPROPRIATION DOCUMENTS WERE SUBMITTED WITH THIS CLAIM. THE DOCUMENTS IDENTIFY TWO SOURCES AND MULTIPLE PRIORITY DATES. THERE MAY BE THREE WATER RIGHTS INVOLVED IN THIS CLAIM.

THIS RIGHT HAS A POINT OF DIVERSION OR PLACE OF USE ON SPECIAL STATUS LANDS AND WAS NOT FILED BY THE TRIBES OR THE UNITED STATES ON BEHALF OF THE TRIBES.