

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 17872-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: RUSSEL GIESE
1155 PARK LN
STEVENSVILLE, MT 59870-6351

LYNNE H GIESE
1155 PARK LN
PO BOX 819
FLORENCE, MT 59833

Priority Date: FEBRUARY 11, 1971
Enforceable Priority Date: FEBRUARY 11, 1971

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 75.00 AC-FT
Climatic Area: 3 - MODERATE

Maximum Acres: 30.00

Source Name: UNNAMED TRIBUTARY OF THREEMILE 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		NENENW	16	9N	19W	RAVALLI

Period of Diversion: MAY 15 TO AUGUST 15
Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENENW	16	9N	19W	RAVALLI

Diversion to Reservoir: DIVERSION # 1

Dam Height: 30.00 FEET
Depth: 28.00 FEET
Surface Area: 1.50 ACRES
Current Capacity: 16.80 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: MAY 15 to AUGUST 15

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	30.00		NENW	16	9N	19W	RAVALLI
Total:	30.00						

Geocodes/Valid: 13-1765-16-2-01-07-0000 - Y 13-1765-16-2-01-54-0000 - 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.

17872-00 214337-00

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/22/1993.

OWNERSHIP UPDATE RECEIVED

Remarks:

OWNERSHIP UPDATE TYPE 608 # 59166 RECEIVED 06/03/2008.

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ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/07/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY REBECCA & JOSEPH R. MCGILLIVRAY, 1143 PARK LN, STEVENSVILLE, MT 59870-6351.

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

USDA AERIAL PHOTOGRAPH NO. 379-47 , DATED 03/16/1979 APPEARS TO INDICATE 20.20 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 4.00 TIMES THE CAPACITY OF THE RESERVOIR.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
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