

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 19730-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: SHANE T HART
7105 LOLO CREEK RD
LOLO, MT 59847

KELLY HART
7105 LOLO CREEK RD
LOLO, MT 59847

Priority Date: APRIL 1, 1883

Enforceable Priority Date: APRIL 1, 1883

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 67.32 GPM

CONCLUSION OF LAW X OF THE DECREE IN CAUSE 12336, MISSOULA COUNTY STATES: THAT THE AMOUNTS OF THE APPROPRIATIONS OF EACH AND ALL PARTIES AS HEREIN FOUND ARE AND ARE TO BE COMPUTED ON THE STREAM AT OR NEAR THE POINT OF DIVERSION OF THE DITCH OF EACH IN THE CASE OF ALL PARTIES USING DIRECTLY FROM THE STREAMS BY MEANS OF THEIR OWN DITCHES. AS TO ALL DITCHES WHERE TWO OR MORE PARTIES DIVERT THEIR WATER FROM THE STREAM IN THE SAME DITCH, JOINTLY OR IN GROUPS, THE AMOUNT TO EACH SHALL BE MEASURED AT THE HEAD OF EACH OF HIS OR HER LATERAL DITCH OR DITCHES AS THE AMOUNT EACH ARE ENTITLED TO, LESS THEIR PROPORTIONATE SHARE OF THE LOSS, IF ANY, IN CONVEYING THE WATERS FROM THE STREAM TO THE HEAD OF THEIR LATERAL OR LATERALS.

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: 5.50

Source Name: LOLO 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		SE	SWNE	33	12N	20W MISSOULA

Period of Diversion: APRIL 15 TO OCTOBER 19

Diversion Means: HEADGATE

Subdivision: KUNEY NO 1

Ditch Name: ANDREWS DITCH

DITCH NAME: ANDREWS DITCH

Period of Use: APRIL 15 to OCTOBER 19

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	5.50		S2	SWNE	34	12N	20W MISSOULA

Subdivision: KUNEY NO 1 TRACT/LOT 6

Total: 5.50

Geocodes/Valid: 04-2092-34-2-02-13-0000 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 26377 RECEIVED 11/21/2005.