

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 19944-00 STATEMENT OF CLAIM  
**Version:** 3 -- CHANGE AUTHORIZATION  
**Version Status:** ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

**Owners:**  
STEVE E HAMBRICK  
440 N BURNT FORK RD  
STEVENSVILLE, MT 59870-6604  
  
SUSIE W HAMBRICK  
440 N BURNT FORK RD  
STEVENSVILLE, MT 59870-6604  
  
MEYER, JAY TRUST  
%JAY & COLLEEN GRACE MEYER  
3652 MEYER LN  
STEVENSVILLE, MT 59870  
  
MEYER, COLLEEN GRACE TRUST  
%JAY & COLLEEN GRACE MEYER  
3652 MEYER LN  
STEVENSVILLE, MT 59870  
  
CHRISTOPHER J WARME  
3092 SADDLEBACK CT  
THOUSAND OAKS, CA 91360-1011  
  
DONNA M THORSTAD  
4277 PAULEE LN  
STEVENSVILLE, MT 59870  
  
JERRY L THORSTAD  
4277 PAULEE LN  
STEVENSVILLE, MT 59870  
  
CARY H HENDERSON  
263 VILLAGE PARKWAY  
STEVENSVILLE, MT 59870  
  
SUSAN A HENDERSON  
91 GALAXY DR  
ELLENSBURG, WA 98926  
  
SCOTT D HENDERSON  
488 N BURNT FORK RD  
STEVENSVILLE, MT 59870

**Priority Date:** JUNE 1, 1863  
**Enforceable Priority Date:** JUNE 1, 1863

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

**Maximum Flow Rate:** 1.90 CFS

**Maximum Volume:**  
**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 148.00

**Source Name:** NORTH BURNT FORK CREEK  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

ID                      Govt Lot                      Qtr Sec                      Sec                      Twp                      Rge                      County

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE	25	9N	20W	RAVALLI

**Period of Diversion:** APRIL 1 TO OCTOBER 31  
**Diversion Means:** HEADGATE

2		SWSESW	24	9N	20W	RAVALLI
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**Period of Diversion:** APRIL 1 TO OCTOBER 31  
**Diversion Means:** HEADGATE

3		SWNESE	30	9N	19W	RAVALLI
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**Period of Diversion:** APRIL 1 TO OCTOBER 31  
**Diversion Means:** HEADGATE

DIVERSION NO. 3 IS HEADGATE NO. 37.  
DIVERSION NO. 1 IS HEADGATE NO. 28 INTO THE WOOD DITCH.

**Period of Use:** APRIL 1 to OCTOBER 31

**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	40.50		SW	24	9N	20W	RAVALLI
2	107.50		SE	30	9N	19W	RAVALLI
<b>Total:</b>	<b>148.00</b>						

<u>Geocodes/Valid:</u>		
	13-1764-24-1-01-19-0000 - Y	13-1764-24-1-01-20-0000 - Y
	13-1764-24-1-01-26-0000 - Y	13-1764-24-3-04-01-0000 - Y
	13-1764-24-3-04-02-0000 - Y	13-1764-24-3-04-03-0000 - Y
	13-1764-24-3-04-04-0000 - Y	13-1765-30-3-01-03-0000 - Y
	13-1765-30-3-01-12-0000 - Y	13-1765-30-3-01-13-0000 - Y
	13-1765-30-3-01-15-0000 - 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.

19944-00      19945-00

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS.

THE POINT OF DIVERSION AND PLACE OF USE ADDED BY CHANGE AUTHORIZATION 76H 30022307 APPLIES ONLY TO MEYER'S PORTION OF THIS WATER RIGHT CLAIM.

THERE IS A PRIVATE AGREEMENT BETWEEN INDIVIDUALS WHICH HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED BY THIS DEPARTMENT.

THE APPROPRIATOR SHALL MEASURE WATER DIVERTED UNDER AUTHORIZATION OF THIS CHANGE IN WATER USE AS SET FORTH IN PARAGRAPHS 3 THROUGH 5 OF THE SETTLEMENT AGREEMENT BETWEEN THE APPROPRIATOR AND OBJECTORS RECEIVED BY THE DEPARTMENT ON SEPTEMBER 25, 2007. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP WRITTEN WEEKLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED, INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

**OWNERSHIP UPDATE RECEIVED**

- OWNERSHIP UPDATE TYPE 608 # 7889 RECEIVED 03/21/2003.
- OWNERSHIP UPDATE TYPE 608 # 13937 RECEIVED 04/20/2004.
- OWNERSHIP UPDATE TYPE 608 # 25578 RECEIVED 10/20/2005.
- OWNERSHIP UPDATE TYPE 608 # 30758 RECEIVED 01/30/2006.
- OWNERSHIP UPDATE TYPE 608 # 36887 RECEIVED 05/02/2006.
- OWNERSHIP UPDATE TYPE DOR # 84547 RECEIVED 03/24/2010.
- OWNERSHIP UPDATE TYPE DOR # 93752 RECEIVED 12/10/2010.
- OWNERSHIP UPDATE TYPE DOR # 115828 RECEIVED 03/28/2013.

**Remarks:**

OWNERSHIP UPDATE TYPE DOR # 132940 RECEIVED 07/07/2015.  
OWNERSHIP UPDATE TYPE DOR # 132636 RECEIVED 07/08/2015.