

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: 76LJ 24100-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
DOLORES J FRENCH
22405 HWY 410E
BUCKLEY, WA 98321

DONALD L FRENCH
22405 HWY 410E
BUCKLEY, WA 98321

WESTERN MAINTENANCE & REPAIR LLC
PO BOX 204
ROLLINS, MT 59931

SMITH, M & K FAMILY TRUST
1353 US HWY 2 E
KALISPELL, MT 59901

HARRINGTON REVOCABLE TRUST
143 KALISPELL ACRES LN
KALISPELL, MT 59901

Priority Date: MAY 15, 1952
Enforceable Priority Date: MAY 15, 1952

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 54.57 GPM
THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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: 3.21

Source Name: SMITH SPRING 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		SWSESW	12	28N	22W	FLATHEAD

Period of Diversion: MAY 15 TO OCTOBER 1

Diversion Means: PUMP

Period of Use: MAY 15 to OCTOBER 1

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	3.21		SWSESW	12	28N	22W	FLATHEAD
Total:	3.21						

Geocodes/Valid: 07-3965-12-3-06-09-0000 - Y 07-3965-12-3-06-15-0000 - Y
07-3965-12-3-06-17-0000 - Y 07-3965-12-3-06-19-0000 - Y
07-3965-12-3-06-21-0000 - Y

Remarks:

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/06/1990.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 119291 RECEIVED 11/23/2009.

Remarks:

OWNERSHIP UPDATE TYPE DOR # 120760 RECEIVED 05/07/2014.

OWNERSHIP UPDATE TYPE DOR # 123320 RECEIVED 05/27/2014.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/21/2016, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JASON BRAATEN AND CINDY MCCARVEL.

USDA AERIAL PHOTOGRAPH NO(S). 979-191 , DATED 09/23/1979 , APPEARS TO INDICATE 1.4 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. 1BB-46 , DATED 07/01/1961 , APPEARS TO INDICATE 1.48 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER SYSTEM WAS FIRST PUT TO USE.
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