

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 32530-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: LAURIE B FOSTER
PO BOX 1804
EAST HELENA, MT 59635

ROBERT C MCWHORTER
PO BOX 370
KILA, MT 59920

JUDITH E MCWHORTER
PO BOX 370
KILA, MT 59920

MELVIN MCWHORTER
257 SEVEN MILE RD
WALLA WALLA, WA 99362

LINDELL MCWHORTER
257 SEVEN MILE RD
WALLA WALLA, WA 99362

Priority Date: MAY 25, 1951

Enforceable Priority Date: MAY 25, 1951

Type of Historical Right: USE

Purpose (use): FISH AND WILDLIFE

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

Maximum Volume: 480.00 AC-FT

Source Name: NATURAL PIT, UNNAMED TRIBUTARY OF LITTLE DEER 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		N2SWNE	25	28N	23W	FLATHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INLAKE

Period of Use: JANUARY 1 to DECEMBER 31

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			N2SWNE	25	28N	23W	FLATHEAD

Geocodes/Valid: 07-3964-25-1-01-30-0000 - Y 07-3964-25-1-01-40-0000 - Y
07-3964-25-1-01-50-0000 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 27657 RECEIVED 12/19/2005.

OWNERSHIP UPDATE TYPE DOR # 121776 RECEIVED 06/11/2014.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

Remarks:

CLAIMED VOLUME EXCEEDS CAPACITY OF RESERVOIR PLUS EVAPORATIVE LOSSES. THE CLAIMED VOLUME CAN BE CONTESTED BY PROPER OBJECTION. IF NO OBJECTIONS ARE FILED TO THIS CLAIM THE VOLUME WILL BE DECREED AS CLAIMED, AND THIS REMARK WILL BE REMOVED FROM THE CLAIM.