

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 33637-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

CHRISTIAN KNEIB
5393 NEW FARM WAY
FLORENCE, MT 59833

HEIDI L KNEIB
5393 NEW FARM WAY
FLORENCE, MT 59833

SHAWN STEBER
5384 NEW FARM WAY
FLORENCE, MT 59833

NINAH STEBER
5384 NEW FARM WAY
FLORENCE, MT 59833

HAYNAM, KAREN C REVOCABLE TRUST
%KAREN C & ROBERT T HAYNAM JR TRUSTEES
PO BOX 246
MOOSE, WY 83012-0246

HAYNAM JR, ROBERT T REVOCABLE TRUST
%ROBERT T & KAREN C HAYNAM JR TRUSTEES
PO BOX 246
MOOSE, WY 83012-0246

SHANE R BEAR
5451 EASTSIDE HWY
FLORENCE, MT 59833

MEAGHAN HOULIHAN
3706 ROSECREST DR
MISSOULA, MT 59804

ERIN HOULIHAN
1E DE RIEMERSTRAAT #18
DEN HAAG, NETHERLANDS
2513 CV

RAETHA A BROSE
5395 NEW FARM WAY
FLORENCE, MT 59833

SHANNON R DAMRON
5395 NEW FARM WAY
FLORENCE, MT 59833

CARMEN L WINGO
5395 NEW FARM WAY
FLORENCE, MT 59833

Priority Date: APRIL 15, 1964

Enforceable Priority Date: APRIL 15, 1964

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER

Maximum Flow Rate: 240.00 GPM

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: 20.00

Source Name: BITTERROOT RIVER

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		NWNENE	13	10N	20W	RAVALLI

Period of Diversion: MARCH 1 TO NOVEMBER 1
Diversion Means: PUMP

THE POINT OF DIVERSION IS LOCATED IN PARCEL B OF CERTIFICATE OF SURVEY NO. 552 , RAVALLI COUNTY.

Period of Use: MARCH 1 to NOVEMBER 1

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	2.50	1	W2W2NWNW	18	10N	19W	RAVALLI
2	6.30		S2SESE	12	10N	20W	RAVALLI
3	11.20		E2NENE	13	10N	20W	RAVALLI
Total:	20.00						

Geocodes/Valid:	13-1869-12-4-01-02-0000 - Y	13-1869-12-4-01-03-0000 - Y
	13-1869-12-4-01-04-0000 - Y	13-1869-13-1-01-24-0000 - Y
	13-1869-13-1-01-28-0000 - Y	13-1869-13-1-01-29-0000 - Y
	13-1869-13-1-01-30-0000 - Y	13-1870-18-2-01-12-0000 - 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.

33636-00 33637-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/08/1988: PLACE OF USE, MAXIMUM ACRES, FLOW RATE.

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

- WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/02/1997.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/23/2001.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/07/1999.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/30/1996.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/03/1995.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/18/2000.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/28/1993.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/13/1999.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/08/1992.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/19/2000.

OWNERSHIP UPDATE RECEIVED

- OWNERSHIP UPDATE TYPE 608 # 17843 RECEIVED 11/09/2004.
- OWNERSHIP UPDATE TYPE 608 # 39541 RECEIVED 07/03/2006.
- OWNERSHIP UPDATE TYPE 608 # 48783 RECEIVED 08/28/2007.
- OWNERSHIP UPDATE TYPE DOR # 94367 RECEIVED 02/24/2011.
- OWNERSHIP UPDATE TYPE DOR # 119355 RECEIVED 12/26/2013.
- OWNERSHIP UPDATE TYPE 608 # 119353 RECEIVED 01/22/2014.
- OWNERSHIP UPDATE TYPE DOR # 132272 RECEIVED 04/23/2015.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/02/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RAETHA AND DEAN BROSE.

A DNRC OWNERSHIP UPDATE DIVIDED INTEREST (641) FORM WAS RECEIVED ON 01/22/2014 . THE DIVISION OF THE WATER RIGHT HAS NOT BEEN IMPLEMENTED AS WRITTEN AUTHORIZATION HAS NOT BEEN RECEIVED FROM ALL OWNERS OF RECORD.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 15 TO OCTOBER 15.

Remarks:

USDA AERIAL PHOTOGRAPH NO. 179-134 , DATED 08/02/1979 APPEARS TO INDICATE 11.20 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BITTERROOT RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 1287, RAVALLI COUNTY.