

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

See most recent Authorization for current water right details.

Water Right Number: 41QJ 35760-00 STATEMENT OF CLAIM

Version: 7 -- POST DECREE

Version Status: ACTIVE

Owners: ANNE BUSBY
3828 REBECCA LN
CASCADE, MT 59421-8255

DAVID SMART
3828 REBECCA LN
CASCADE, MT 59421-8255

HELEN SMART
3828 REBECCA LN
CASCADE, MT 59421-8255

Priority Date: APRIL 1, 1945

Enforceable Priority Date: APRIL 1, 1945

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER

Maximum Flow Rate: 32.00 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: 2.87

Source Name: MISSOURI RIVER

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		NENESE	24	16N	3W	LEWIS AND CLARK

Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: PUMP

Period of Use: APRIL 1 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	2.87		NESE	24	16N	3W	LEWIS AND CLARK

Total: 2.87

Geocodes/Valid: 05-2552-24-4-01-13-0000 - Y

Remarks:

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 7/26/1982.

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

FOR UNKNOWN REASONS, THERE IS NO CHANGE AUTHORIZATION NUMBERED AS 41QJ-G(W)035760-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/07/2004. OWNERSHIP UPDATE ID #12242. MELVIN O BATCHELOR (DECEASED) TO MAUREEN BLATTER - LOT 2, RIVER PARK PLACE.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/25/2007. OWNERSHIP UPDATE ID #47309. MAUREEN BLATTER TO FAYE A FITZGERALD. LOT 2 - RIVER PARK PLACE.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/03/2008. OWNERSHIP UPDATE ID #57555. DUANE N MOE TO DOUGLAS L JOHNSON AND JOSEPH BEAUDRY - LOT 4 - RIVER PARK PLACE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/15/1982. JACOBS TO WILLIAM & MARY KESSNER - LOT 2.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/15/1999. JACOBS TO CHARLES & CHARLOTTE

Remarks:

WALKER - LOT 1. THIS UPDATE ADDED CHARLOTTE'S NAME.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/30/1999. HELEN BATCHELOR (DECEASED) TO MELVIN BATCHELOR - LOT 2.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/19/1996. POTTER TO DUANE MOE - LOT 4.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/15/1982. JACOBS TO MAXINE & ROBERT DAHLEY - LOT 3.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/15/1982. EVANS RETAINS 5 ACRES AND JACOBS RECEIVES 3 ACRES WHICH IS DIVIDED INTO 5 LOTS AKA RIVER PARK PLACE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/01/1992. DAHLEY TO JAMES & KATHLEEN AHRENS - LOT 3.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/28/2000. STAN JAMRUSZKA (DECEASED) TO RHODA JAMRUSZKA - LOT 5.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/15/1982. JACOBS TO FRANK & JOELLEN POTTER - LOT 4.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/18/1984. JACOBS TO STAN JAMRUSZKA - LOT 5.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/23/1992. JACOBS TO CHARLES WALKER - LOT 1.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/08/1994. KESSNER TO MELVIN & HELEN BATCHELOR - LOT 2.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/23/1992. KESSNER TO MELVIN BATCHELOR - LOT 2

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 30048471, 30048472, 30048473, 30048474, 30048475, 30048476.

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL 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. 35760-00, 127844-00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 4567 RECEIVED 09/06/2002.

OWNERSHIP UPDATE TYPE 608 # 12242 RECEIVED 01/07/2004.

OWNERSHIP UPDATE TYPE 608 # 26983 RECEIVED 11/15/2005.

OWNERSHIP UPDATE TYPE 608 # 47309 RECEIVED 06/25/2007.

OWNERSHIP UPDATE TYPE 608 # 57555 RECEIVED 04/03/2008.

OWNERSHIP UPDATE TYPE 608 # 73190 RECEIVED 07/09/2010.

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 80455 RECEIVED 09/16/2010.

OWNERSHIP UPDATE TYPE DOR # 85314 RECEIVED 09/27/2010.