

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 40344-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
DIANE C NICHOLSON
PO BOX 5378
TWIN FALLS, ID 83303

JULIAN O NICHOLSON
PO BOX 5378
TWIN FALLS, ID 83303

FROST LIMITED PARTNERSHIP
524 PEAR TREE DR
CORVALLIS, MT 59828

SKYSONG HOMEOWNERS ASSOCIATION INC
465 WEBER HEIGHTS RD
CORVALLIS, MT 59828

Priority Date: JUNE 1, 1859
Enforceable Priority Date: JUNE 1, 1859

Type of Historical Right: DECREED

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

Maximum Flow Rate: 1.05 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 210.00

Source Name: WILLOW 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		NWSE	8	6N	19W	RAVALLI

Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

Ditch Name: WILLOW CREEK LOW DITCH

2		NWSWNE	9	6N	19W	RAVALLI
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Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

Ditch Name: WILLOW CREEK HIGH DITCH

Period of Use: APRIL 1 to NOVEMBER 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	80.00		W2SE	13	6N	20W	RAVALLI
2	130.00		SW	13	6N	20W	RAVALLI
Total:	210.00						

Geocodes/Valid: 13-1468-13-3-01-07-0000 - Y 13-1468-13-3-01-11-0000 - 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.

40344-00 40345-00 40346-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/11/1992: PLACE OF USE,

Remarks:

MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/17/1993: PLACE OF USE, MAXIMUM ACRES.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/10/2000.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/05/1992.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 16037 RECEIVED 08/17/2004.

OWNERSHIP UPDATE TYPE 608 # 44645 RECEIVED 02/27/2007.

OWNERSHIP UPDATE TYPE 608 # 45534 RECEIVED 04/17/2007.

OWNERSHIP UPDATE TYPE 608 # 46104 RECEIVED 05/14/2007.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 120 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 98-00, 40344-00, 148090-00, 148091-00, 151499-00, 151619-00, 214159-00.

USDA AERIAL PHOTOGRAPH NO(S). 179-144 , DATED 08/02/1979 , APPEARS TO INDICATE 184.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.