

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: 76L 46324-00 STATEMENT OF CLAIM
Version: 2 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: MALINAK, JOHN D TRUST
1125 LITTLE BITTERROOT RD
HOT SPRINGS, MT 59845-9402

MALINAK, NORA J TRUST
1125 LITTLE BITTERROOT RD
HOT SPRINGS, MT 59845-9402

Priority Date: DECEMBER 31, 1940
Enforceable Priority Date: DECEMBER 31, 1940

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 810.00 GPM
Maximum Volume: 180.00 AC-FT

Maximum Acres: 72.00

Source Name: GROUNDWATER
Source Type: GROUNDWATER

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		SENENW	30	21N	22W	SANDERS

Period of Diversion: APRIL 1 TO NOVEMBER 4
Diversion Means: WELL
Well Depth: 283.00 FEET
Casing Diameter: 8.00 INCHES
Flowing: YES

Period of Use: APRIL 1 to NOVEMBER 4

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	7.00		S2NENW	30	21N	22W	SANDERS
2	10.00		S2NWNW	30	21N	22W	SANDERS
3	35.00		SWNW	30	21N	22W	SANDERS
4	20.00		SENW	30	21N	22W	SANDERS
Total:	72.00						

Geocodes/Valid: 35-3099-30-1-01-10-0000 - Y

Remarks:

THE NEW WELL IS LOCATED 50 FEET SOUTHEAST FROM THE OLD WELL.

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT A POINT APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

OWNERSHIP UPDATE RECEIVED

Remarks:

OWNERSHIP UPDATE TYPE 608 # 13524 RECEIVED 02/19/2004.