

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 46879-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: DARWIN E STONER
PO BOX 284
SAINT IGNATIUS, MT 59865
SHERILYN EYE STONER
PO BOX 284
SAINT IGNATIUS, MT 59865

Priority Date: DECEMBER 31, 1888
Enforceable Priority Date: DECEMBER 31, 1888

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 125.66 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: 10.80

Source Name: BIG 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		NENESW	21	22N	19W	LAKE

Period of Diversion: APRIL 1 TO AUGUST 31

Diversion Means: HEADGATE

Ditch Name: BISSON DITCH

Period of Use: APRIL 1 to AUGUST 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	7.00		W2NWSW	21	22N	19W	LAKE
2	3.80		W2SWSW	21	22N	19W	LAKE
Total:	10.80						

Geocodes/Valid: 15-3229-21-2-01-01-0000 - 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.

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 22481 RECEIVED 06/21/2005.

Remarks:

THE CLAIMED PERIOD OF USE APPEARS INADEQUATE FOR THE USUAL GROWING SEASON IN THIS AREA WHICH IS APRIL 15 TO OCTOBER 15.

THE LAKE COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 5 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 1079-084 , DATED 09/24/1979 , APPEARS TO INDICATE 7.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THIS RIGHT HAS A POINT OF DIVERSION OR PLACE OF USE ON SPECIAL STATUS LANDS AND WAS NOT FILED BY THE TRIBES OR THE UNITED STATES ON BEHALF OF THE TRIBES.