

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: 76G 49964-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
GAIL D DUNCAN
90 SLEEPY HOLLOW LN
DEER LODGE, MT 59722-9536

LORRIE M DUNCAN
90 SLEEPY HOLLOW LN
DEER LODGE, MT 59722-9536

Priority Date: JUNE 29, 1885
Enforceable Priority Date: JUNE 29, 1885

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 283.00 GPM

Maximum Volume:
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 15.00

Source Name: PETERSON 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		SENWSW	3	7N	9W	POWELL

Period of Diversion: MARCH 15 TO NOVEMBER 4
Diversion Means: HEADGATE
Ditch Name: VALITON DITCH

Period of Use: MARCH 15 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	15.00		NE	9	7N	9W	POWELL

Total: 15.00

Geocodes/Valid: 28-1578-09-1-01-05-0000 - Y 28-1578-09-1-01-06-0000 - Y
28-1578-09-1-01-14-0000 - Y 28-1578-09-1-01-22-0000 - 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.

45330-00 45331-00 45335-00 49964-00

BY STIPULATION DATED JANUARY 27, 1995 THE HOLDER OF THIS RIGHT AGREES THAT THE RIGHT SHALL BE JUNIOR TO ALL WATER RIGHT CLAIMS EXISTING PRIOR TO 1972 THAT ARE UPSTREAM FROM THE POINT OF DIVERSION OF THIS CLAIM ON PETERSON CREEK AND ITS TRIBUTARIES.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/19/86.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/09/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/09/98.