

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: 41D 93153-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: DIVIDE-KAMBICH CO
PO BOX 34
DIVIDE, MT 59727-0034

SCHAFER & ASSOCIATES
6770 N WEST AVE STE 102
FRESNO, CA 93711-1399

JOSEPH W BRUSATI
359 PASSMORE CANYON RD
BUTTE, MT 59701-7530

LESLIE R BRUSATI
359 PASSMORE CANYON RD
BUTTE, MT 59701-7530

DINO BUGNI
52 SALMON FLY DR
DIVIDE, MT 59727-9022

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: JULY 16, 1895
Enforceable Priority Date: JULY 16, 1895

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 4.20 CFS
THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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

Climatic Area: 5 - LOW

Maximum Acres: 111.00

Source Name: BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SW	11	1S	10W SILVER BOW

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

WATER FROM BIG HOLE RIVER IS CONVEYED THROUGH DIVIDE CANAL TO THE PLACE OF USE.

Period of Use: APRIL 15 to OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	1.00		SW	SE	17	1S	9W SILVER BOW	
2	24.00		W2	E2	SW	17	1S	9W SILVER BOW
3	40.00		W2	SW	17	1S	9W SILVER BOW	
4	15.00		W2	NEN	W	20	1S	9W SILVER BOW
5	16.00		W2	SW	12	1S	10W SILVER BOW	
6	15.00		N2	NE	13	1S	10W SILVER BOW	
Total:	111.00							

Geocodes/Valid: 01-0881-12-4-01-01-0000 - Y 01-0881-12-4-01-10-0000 - Y
01-0881-13-1-01-10-0000 - Y 01-0883-17-3-01-01-0000 - Y

01-0883-17-3-01-20-0000 - Y

01-0883-20-2-01-10-0000 - Y

01-0883-20-4-01-01-0000 - Y

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/2/2005: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/16/1991: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/06/2003. JOHNSON, MILES & MEHRING TO SCHAFFER & ASSOCIATES - SPLIT 50/50. SCHAFFER RECEIVES TRACT 1 COS# 710

WATER RIGHT OWNERSHIP UPDATE RECEIVED 1/31/1994. ANDREW JOHNSON TO DIVIDE-KAMBICH. SPLIT - DIVIDE-KAMBICH RECEIVES 4.74 CFS AND 97 ACRES IN THE W2 OF SEC 17 AND THE NW OF SEC 20 TWP 1S RGE 9W. JOHNSON RETAINS 1.51 CFS AND 31 ACRES IN SE OF 12 AND THE NE OF 13, TWP 1S RGE 10W.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 8/16/1995. ESTATE OF ANDREW M AND HELEN M JOHNSON TO ANDREW C JOHNSON, JEWEL ANN MILES, AND CHARLES MEHRING - 100% OF WATER PREVIOUSLY RETAINED

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/09/2003. ANDREW C JOHNSON, JEWEL ANN MILES, AND CHARLES MEHRING TO JOSEPH AND LESLIE BRUSATI - 100% OF REMAINING INTEREST

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/28/2007. WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/28/1007. OUID #50863 - JOSEPH & LESLIE BRUSATI TO DINO BUGNI - SPLIT - BUGNI RECEIVES LOT 2, AND BRUSATI RETAINS LOT 1, BOTH IN VALENTINE PLACER #6153.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 7209 RECEIVED 02/06/2003.

OWNERSHIP UPDATE TYPE 608 # 10939 RECEIVED 10/09/2003.

OWNERSHIP UPDATE TYPE 608 # 50863 RECEIVED 02/28/2007.