

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

A version with a more recent operating authority date exists. Contact DNRC for details.

Water Right Number: 76F 97951-00 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: WALES BROTHERS
% ROBERT E MEYER & JAMES B HASTY
4320 VAN KARMAN AVE
NEWPORT BEACH, CA 92660-2004

Priority Date: MAY 24, 1876
Enforceable Priority Date: MAY 24, 1876

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 5.88 CFS

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: 385.00

Source Name: COTTONWOOD 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 | | NENWSE | 21 | 13N | 11W | POWELL |

Period of Diversion: MAY 1 TO OCTOBER 1
Diversion Means: HEADGATE
Ditch Name: SECTION 21 DITCH

| | | | | | | |
|---|--|--------|----|-----|-----|--------|
| 2 | | SESESE | 21 | 13N | 11W | POWELL |
|---|--|--------|----|-----|-----|--------|

Period of Diversion: MAY 1 TO OCTOBER 1
Diversion Means: HEADGATE
Ditch Name: WIDENER DITCH HG 2

| | | | | | | |
|---|--|--------|----|-----|-----|--------|
| 3 | | SENWSE | 16 | 13N | 11W | POWELL |
|---|--|--------|----|-----|-----|--------|

Period of Diversion: MAY 1 TO OCTOBER 1
Diversion Means: DIVERSION DAM
Ditch Name: WIDENER DITCH 1

Period of Use: MAY 1 to OCTOBER 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 | 207.00 | | N2 | 16 | 13N | 11W | POWELL |
| 2 | 33.00 | | NESE | 16 | 13N | 11W | POWELL |
| 3 | 5.00 | | NWSE | 16 | 13N | 11W | POWELL |
| 4 | 10.00 | | N2SESE | 16 | 13N | 11W | POWELL |
| 5 | 130.00 | | | 21 | 13N | 11W | POWELL |

Total: 385.00

Geocodes/Valid: 28-2208-16-1-01-01-0000 - Y 28-2208-21-1-01-01-0000 - Y

Remarks:

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.

97936-00 97944-00 97951-00 97952-00 97953-00 97961-00 97962-00
97963-00 97964-00 97965-00 97966-00 97967-00 97968-00

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

80425-00 97944-00 97947-00 97951-00 97953-00 97961-00 97968-00
97975-00

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.

97948-00 97951-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/24/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, FLOW RATE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/11/1991.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/30/1985.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/29/1993.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 37206 RECEIVED 04/14/2006.