

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: 76F 97961-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: WALES BROTHERS
% ROBERT E MEYER & JAMES B HASTY
4320 VAN KARMAN AVE
NEWPORT BEACH, CA 92660-2004

Priority Date: MARCH 17, 1890
Enforceable Priority Date: MARCH 17, 1890

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 8.00 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: 2,492.00

Source Name: DOUGLAS CREEK
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 | | NESWNW | 16 | 13N | 11W | POWELL |

Period of Diversion: MARCH 15 TO NOVEMBER 15
Diversion Means: PUMP

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

Period of Diversion: MARCH 15 TO NOVEMBER 15
Diversion Means: HEADGATE
Ditch Name: WEIDENER DITCH A

| | | | | | | |
|---|--|-------|----|-----|-----|--------|
| 3 | | SESWW | 21 | 13N | 11W | POWELL |
|---|--|-------|----|-----|-----|--------|

Period of Diversion: MARCH 15 TO NOVEMBER 15
Diversion Means: HEADGATE
Ditch Name: WEIDENER DITCH B

| | | | | | | |
|---|--|--------|----|-----|-----|--------|
| 4 | | SWNWNW | 28 | 13N | 11W | POWELL |
|---|--|--------|----|-----|-----|--------|

Period of Diversion: MARCH 15 TO NOVEMBER 15
Diversion Means: HEADGATE
Ditch Name: SECTION 28 DITCH

| | | | | | | |
|---|--|--------|----|-----|-----|--------|
| 5 | | SWNWNW | 28 | 13N | 11W | POWELL |
|---|--|--------|----|-----|-----|--------|

Period of Diversion: MARCH 15 TO NOVEMBER 15
Diversion Means: HEADGATE
Ditch Name: WEIDENER DITCH C

| | | | | | | |
|---|--|--------|----|-----|-----|--------|
| 6 | | SESENE | 29 | 13N | 11W | POWELL |
|---|--|--------|----|-----|-----|--------|

Period of Diversion: MARCH 15 TO NOVEMBER 15
Diversion Means: PUMP

| | | | | | | |
|---|--|--------|----|-----|-----|--------|
| 7 | | SENWSW | 33 | 13N | 11W | POWELL |
|---|--|--------|----|-----|-----|--------|

Period of Diversion: MARCH 15 TO NOVEMBER 15
Diversion Means: HEADGATE
Ditch Name: WEIDENER DITCH NO. 5

Period of Use: MARCH 15 to NOVEMBER 15

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 | 501.00 | | | 16 | 13N | 11W | POWELL |
| 2 | 545.00 | | | 17 | 13N | 11W | POWELL |
| 3 | 32.00 | | SESE | 19 | 13N | 11W | POWELL |
| 4 | 6.00 | | SESWSE | 19 | 13N | 11W | POWELL |
| 5 | 409.00 | | | 20 | 13N | 11W | POWELL |
| 6 | 526.00 | | | 21 | 13N | 11W | POWELL |
| 7 | 320.00 | | N2 | 29 | 13N | 11W | POWELL |
| 8 | 43.00 | | W2SE | 29 | 13N | 11W | POWELL |
| 9 | 31.00 | | NESW | 29 | 13N | 11W | POWELL |
| 10 | 2.00 | | NENWSW | 29 | 13N | 11W | POWELL |
| 11 | 2.00 | | E2SESW | 29 | 13N | 11W | POWELL |
| 12 | 54.00 | | E2NE | 30 | 13N | 11W | POWELL |
| 13 | 3.00 | | E2NWNE | 30 | 13N | 11W | POWELL |
| 14 | 18.00 | | NWNE | 32 | 13N | 11W | POWELL |
| Total: | 2,492.00 | | | | | | |

| | | |
|------------------------|-----------------------------|-----------------------------|
| Geocodes/Valid: | 28-2208-16-1-01-01-0000 - Y | 28-2208-17-1-01-01-0000 - Y |
| | 28-2208-19-4-01-01-0000 - Y | 28-2208-20-1-01-01-0000 - Y |
| | 28-2208-21-1-01-01-0000 - Y | 28-2208-29-1-01-01-0000 - Y |
| | 28-2208-30-1-01-01-0000 - Y | 28-2208-32-2-01-01-0000 - 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.

| | | | | | | |
|----------|----------|----------|----------|----------|----------|----------|
| 97936-00 | 97944-00 | 97947-00 | 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 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.

97954-00 97961-00

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

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/30/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/11/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/29/93.

OWNERSHIP UPDATE RECEIVED

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