

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: 76LJ 103290-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

ROGER L ONEIL
1934 LEUCADIA SCENIC COURT
ENCINITAS, CA 92024

MARILYN K BAIN
3350 N ASHLEY LAKE RD
KALISPELL, MT 59901

DANIEL F ZLOGAR
158 STONERIDGE DR
KALISPELL, MT 59901

KELLY L REDFIELD
158 STONERIDGE DR
KALISPELL, MT 59901

MICHAEL L PETERS
389 STONERIDGE DR
KALISPELL, MT 59901

SHIANNA L PETERS
389 STONERIDGE DR
KALISPELL, MT 59901

KENT KEELE
245 STONERIDGE DR
KALISPELL, MT 59901

MARTHA J KEELE
245 STONERIDGE DR
KALISPELL, MT 59901

JON C RASHLEIGH
368 STONERIDGE DR
KALISPELL, MT 59901

SHARON S RASHLEIGH
368 STONERIDGE DR
KALISPELL, MT 59901

J & F CONSTRUCTION GENERAL CONTRACTORS INC
690 N MERIDIAN RD
SUITE 103
KALISPELL, MT 59901

JOHN A DICKSON
293 STONERIDGE DR
KALISPELL, MT 59901

KATIE DICKSON
293 STONERIDGE DR
KALISPELL, MT 59901

WAYNE E TURNER
3300 US HWY 2 W
KALISPELL, MT 59901-7388

RONALD E HOLDER
108 STONERIDGE DR
KALISPELL, MT 59901-7695

DONNA HOLDER
108 STONERIDGE DR
KALISPELL, MT 59901-7695

NATE DRENDEL
350 STONERIDGE DR
KALISPELL, MT 59901

IVORY D WINFREY
350 STONERIDGE DR
KALISPELL, MT 59901

GERRID M GANDRUD
197 STONERIDGE DR
KALISPELL, MT 59901

CANDICE C GANDRUD
197 STONERIDGE DR
KALISPELL, MT 59901

ADAM M OLSON
388 STONERIDGE DR
KALISPELL, MT 59901

KATHLEEN F OLSON
388 STONERIDGE DR
KALISPELL, MT 59901

LUCAS A MANN
614 STONERIDGE DR
KALISPELL, MT 59901

KERRY A MANN
614 STONERIDGE DR
KALISPELL, MT 59901

DALTON FAMILY LLC
PO BOX 1323
BIGFORK, MT 59911

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

Priority Date: JUNE 1, 1884

Enforceable Priority Date: JUNE 1, 1884

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 4.90 CFS

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: 203.00

Source Name: ASHLEY 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		SWSENE	13	28N	22W	FLATHEAD

Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: PUMP

2		NESWNE	13	28N	22W	FLATHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: PUMP

3		SWSENW	13	28N	22W	FLATHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: PUMP

4		SWSENE	14	28N	22W	FLATHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: PUMP

Period of Use: APRIL 1 to NOVEMBER 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	6.00		SENE	13	28N	22W	FLATHEAD
2	30.00		SWNE	13	28N	22W	FLATHEAD
3	25.00		SENE	13	28N	22W	FLATHEAD
4	22.00		NESE	13	28N	22W	FLATHEAD

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>
5	40.00		NWSE	13	28N	22W	FLATHEAD
6	80.00		N2SW	13	28N	22W	FLATHEAD
Total:	203.00						

<u>Geocodes/Valid:</u>		
	07-3965-13-1-01-03-0000 - Y	07-3965-13-1-11-03-0000 - Y
	07-3965-13-3-05-01-0000 - Y	07-3965-13-3-05-03-0000 - Y
	07-3965-13-3-05-05-0000 - Y	07-3965-13-3-05-07-0000 - Y
	07-3965-13-3-05-09-0000 - Y	07-3965-13-3-05-11-0000 - Y
	07-3965-13-3-05-13-0000 - Y	07-3965-13-3-06-01-0000 - Y
	07-3965-13-3-06-03-0000 - Y	07-3965-13-3-06-07-0000 - Y
	07-3965-13-3-06-09-0000 - Y	07-3965-13-3-06-11-0000 - Y
	07-3965-13-3-06-13-0000 - Y	07-3965-13-3-06-15-0000 - Y
	07-3965-13-3-07-01-0000 - Y	07-3965-13-3-07-04-0000 - Y
	07-3965-13-3-07-07-0000 - Y	07-3965-13-3-07-08-0000 - Y
	07-3965-13-3-07-10-0000 - Y	07-3965-13-3-07-12-0000 - Y
	07-3965-13-3-07-14-0000 - Y	07-3965-13-3-07-16-0000 - Y
	07-3965-13-3-07-18-0000 - Y	07-3965-13-3-07-20-0000 - 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.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/28/1988.

OWNERSHIP UPDATE RECEIVED

- OWNERSHIP UPDATE TYPE 608 # 8649 RECEIVED 05/13/2003.
- OWNERSHIP UPDATE TYPE 608 # 27304 RECEIVED 12/08/2005.
- OWNERSHIP UPDATE TYPE 608 # 64812 RECEIVED 12/30/2008.
- OWNERSHIP UPDATE TYPE DOR # 86006 RECEIVED 03/19/2009.
- OWNERSHIP UPDATE TYPE DOR # 87069 RECEIVED 06/07/2010.
- OWNERSHIP UPDATE TYPE DOR # 97236 RECEIVED 12/12/2011.
- OWNERSHIP UPDATE TYPE DOR # 111087 RECEIVED 02/11/2013.
- OWNERSHIP UPDATE TYPE DOR # 112227 RECEIVED 05/10/2013.
- OWNERSHIP UPDATE TYPE DOR # 114241 RECEIVED 07/26/2013.
- OWNERSHIP UPDATE TYPE DOR # 119348 RECEIVED 04/07/2014.
- OWNERSHIP UPDATE TYPE DOR # 120042 RECEIVED 04/18/2014.
- OWNERSHIP UPDATE TYPE DOR # 123309 RECEIVED 05/05/2014.
- OWNERSHIP UPDATE TYPE DOR # 130390 RECEIVED 06/22/2014.
- OWNERSHIP UPDATE TYPE DOR # 130391 RECEIVED 07/03/2014.
- OWNERSHIP UPDATE TYPE DOR # 130421 RECEIVED 10/31/2014.
- OWNERSHIP UPDATE TYPE DOR # 132062 RECEIVED 02/02/2015.
- OWNERSHIP UPDATE TYPE DOR # 136593 RECEIVED 06/15/2015.
- OWNERSHIP UPDATE TYPE DOR # 145155 RECEIVED 05/13/2016.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
 ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/28/2015, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY 26 INDIVIDUAL OWNERS.

Remarks:

FLATHEAD COUNTY RECORDS AS OF 09/02/2008 SHOWS PLACE OF USE IS OWNED BY 22 DIFFERENT INDIVIDUAL OWNERS, SEE CLAIM FILE FOR DETAILS.

THE FLATHEAD COUNTY WATER RESOURCES SURVEY (1965) APPEARS TO INDICATE 104.26 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 979-191 , DATED 09/23/1979 , APPEARS TO INDICATE 85.02 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.