

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: 76H 103768-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners:

DEBRA L ABRAMS
13033 KIMWOOD DR
LOLO, MT 59847

WILLIAM D ABRAMS
13033 KIMWOOD DR
LOLO, MT 59847

DOUGLAS S MALLIN
12930 SAPPHIRE DR
PO BOX 1377
LOLO, MT 59847

DARLENE K MALLIN
12930 SAPPHIRE DR
PO BOX 1377
LOLO, MT 59847

DODD P MCDERMOTT
12970 KIMWOOD DR
LOLO, MT 59847-9518

RHONDA TEMPLETON
13041 KIMWOOD DR
LOLO, MT 59847

TERESA K MANLOVE
7843 SUGAREE LN
LOLO, MT 59847

MONA L ENTWISTLE
13095 SAPPHIRE DR
LOLO, MT 59847

DAVID R ENTWISTLE
13095 SAPPHIRE DR
LOLO, MT 59847-9529

INEZ T BARRAS-HENSLEY
7097 MORMON CREEK RD
LOLO, MT 59847-9503

RUFORD T HENSLEY
7097 MORMON CREEK RD
LOLO, MT 59847-9503

* OWNERSHIP OF WATER RIGHT CHANGED BY ORDER OF THE WATER COURT DURING ADJUDICATION OF THE TEMPORARY PRELIMINARY.

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

Priority Date: OCTOBER 15, 1882

Enforceable Priority Date: OCTOBER 15, 1882

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 2.25 CFS

CONCLUSION OF LAW X OF THE DECREE IN CAUSE 12336, MISSOULA COUNTY STATES: THAT THE AMOUNTS OF THE APPROPRIATIONS OF EACH AND ALL PARTIES AS HEREIN FOUND ARE AND ARE TO BE COMPUTED ON THE STREAM AT OR NEAR THE POINT OF DIVERSION OF THE DITCH OF EACH IN THE CASE OF ALL PARTIES USING DIRECTLY FROM THE STREAMS BY MEANS OF THEIR OWN DITCHES. AS TO ALL DITCHES WHERE TWO OR MORE PARTIES DIVERT THEIR WATER FROM THE STREAM IN THE SAME DITCH, JOINTLY OR IN GROUPS, THE AMOUNT TO EACH SHALL BE MEASURED AT THE HEAD OF EACH OF HIS OR HER LATERAL DITCH OR DITCHES AS THE AMOUNT EACH ARE

ENTITLED TO, LESS THEIR PROPORTIONATE SHARE OF THE LOSS, IF ANY, IN CONVEYING THE WATERS FROM THE STREAM TO THE HEAD OF THEIR LATERAL OR LATERALS.

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: 45.00

Source Name: LOLO 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		SWNWSW	34	12N	20W	MISSOULA

Period of Diversion: MAY 1 TO OCTOBER 19

Diversion Means: HEADGATE

Ditch Name: ROCK-OSTRAND-TUCKER-KESTER DITCH

Period of Use: MAY 1 to OCTOBER 19

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		NENENE	3	11N	20W	MISSOULA
2	10.00		NWNENE	3	11N	20W	MISSOULA
3	7.00		SWNENE	3	11N	20W	MISSOULA
4	5.00		SENE	3	11N	20W	MISSOULA
5	3.00		NENWNE	3	11N	20W	MISSOULA
6	10.00		NWNWNE	3	11N	20W	MISSOULA
7	4.00		NESENE	3	11N	20W	MISSOULA
Total:	45.00						

Geocodes/Valid: 04-1975-03-1-01-05-0000 - Y 04-1975-03-1-05-08-0000 - Y
04-1975-03-1-08-08-0000 - Y 04-1975-03-1-10-06-0000 - Y
04-1975-03-1-11-11-0000 - Y

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/13/88: FLOW RATE, MAXIMUM ACRES, PLACE OF USE.

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

DIVIDED INTEREST TRANSFER. SEE FICHE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/14/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/28/87.

OWNERSHIP UPDATE RECEIVED

- OWNERSHIP UPDATE TYPE 608 # 46178 RECEIVED 05/09/2007.
- OWNERSHIP UPDATE TYPE 608 # 48799 RECEIVED 08/16/2007.
- OWNERSHIP UPDATE TYPE 608 # 48784 RECEIVED 08/28/2007.
- OWNERSHIP UPDATE TYPE DOR # 92712 RECEIVED 10/14/2010.
- OWNERSHIP UPDATE TYPE DOR # 96552 RECEIVED 12/29/2010.
- OWNERSHIP UPDATE TYPE DOR # 96545 RECEIVED 02/18/2011.
- OWNERSHIP UPDATE TYPE DOR # 138568 RECEIVED 11/03/2015.
- OWNERSHIP UPDATE TYPE DOR # 150519 RECEIVED 10/27/2016.