

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:** 76L 116298-00 STATEMENT OF CLAIM

**Version:** 2 -- SPLIT

**Version Status:** ACTIVE

**Owners:**

JOSEPH J BUTTERHOF  
15 HAPPYS WAY  
PLAINS, MT 59859

FRANK O NICHOLAS III  
8601 RANCH CLUB RD  
MISSOULA, MT 59808

VICKY J NICHOLAS  
8601 RANCH CLUB RD  
MISSOULA, MT 59808

CURTIS E VANGSTAD  
1981 HIGHLAND DR  
ZILLAH, WA 98953-9754

LANA VANGSTAD  
1981 HIGHLAND DR  
ZILLAH, WA 98953-9754

HARRY E COMAN  
41 NORMAN HILL RD  
WOODSTOCK, CT 06281

KATHRYN A MITCHELL  
41 NORMAN HILL RD  
WOODSTOCK, CT 06281

**Priority Date:** JUNE 24, 1954

**Enforceable Priority Date:** JUNE 24, 1954

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 210.00 GPM

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
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:** 2 - MODERATELY HIGH

**Maximum Acres:** 12.36

**Source Name:** FLATHEAD RIVER

**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		NWSWNW	31	19N	23W	SANDERS

**Period of Diversion:** JUNE 1 TO SEPTEMBER 30

**Diversion Means:** PUMP

**Period of Use:** JUNE 1 to SEPTEMBER 30

**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	12.36	12	S2NW	31	19N	23W	SANDERS

**Total:** 12.36

**Geocodes/Valid:** 35-2863-31-2-02-01-0000 - Y      35-2863-31-2-02-05-0000 - Y  
35-2863-31-2-02-10-0000 - Y      35-2863-31-2-02-20-0000 - Y  
35-2863-31-2-02-25-0000 - Y      35-2863-31-2-02-30-0000 - Y  
35-2863-31-2-02-35-0000 - Y

**Remarks:**

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

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/02/1993.

SPLIT CLAIM NO. 76L 30108040 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 48484 RECEIVED 08/17/2007.

OWNERSHIP UPDATE TYPE 641 # 96264 RECEIVED 08/26/2008.

OWNERSHIP UPDATE TYPE DOR # 120234 RECEIVED 09/20/2010.

OWNERSHIP UPDATE TYPE DOR # 120337 RECEIVED 09/13/2012.

OWNERSHIP UPDATE TYPE DOR # 108359 RECEIVED 01/17/2013.

OWNERSHIP UPDATE TYPE DOR # 109966 RECEIVED 01/29/2013.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 279-051R , DATED 1979 , APPEARS TO INDICATE 22.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). NO-6DD-121 , DATED 07/27/1964 , APPEARS TO INDICATE 4.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.