

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 116677-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

ORLANDO ECHEVERIO
PO BOX 222
STEVENSVILLE, MT 59870-0222

HENRY M CLOUD
1701 MIDDLE BURNT FORK RD
STEVENSVILLE, MT 59870

PATRICIA D CLOUD
1701 MIDDLE BURNT FORK RD
STEVENSVILLE, MT 59870

KAY E CREECH AND RANDOLPH S CREECH CO-TRUSTEES
UNDER THE AMENDED & RESTATED AGREEMENT OF TRUST
FOR KAY E CREECH DATED SEPT 5 2000
PO BOX 29
STEVENSVILLE, MT 59870

JOHN D MEAKIN
1652 S BURNT FORK RD
STEVENSVILLE, MT 59870

PATRICIA L WILSON
1652 S BURNT FORK RD
STEVENSVILLE, MT 59870

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

Priority Date: APRIL 1, 1887

Enforceable Priority Date: APRIL 1, 1887

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 4.00 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: 200.00

Source Name: BURNT FORK 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		SWNE	10	8N	19W	RAVALLI

Period of Diversion: APRIL 15 TO SEPTEMBER 15

Diversion Means: HEADGATE

Ditch Name: BARROTT DITCH (HEADGATE 8)

2		NWNWSW	11	8N	19W	RAVALLI
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Period of Diversion: APRIL 15 TO SEPTEMBER 15

Diversion Means: HEADGATE

Ditch Name: HAAKE-PHELPS DITCH (HEADGATE 5)

Period of Use: APRIL 15 to SEPTEMBER 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	40.00		SESE	3	8N	19W	RAVALLI
2	40.00		NWNE	10	8N	19W	RAVALLI
3	40.00		SENE	10	8N	19W	RAVALLI
4	40.00		SWNE	10	8N	19W	RAVALLI

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5	40.00		NENW	10	8N	19W	RAVALLI
Total:	200.00						

<u>Geocodes/Valid:</u>		
	13-1667-03-1-01-06-0000 - Y	13-1667-10-2-01-02-0000 - Y
	13-1667-10-2-01-04-0000 - Y	13-1667-10-2-01-05-0000 - Y
	13-1667-10-2-01-06-0000 - Y	13-1667-10-2-01-08-0000 - 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.

116677-00 116678-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/25/1997: 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 05/06/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/09/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/22/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/07/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/25/97.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/13/99.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 683 RECEIVED 11/01/2001.

AN AMENDMENT WAS SUBMITTED ON 11/13/2012 REQUESTING TO AMEND THE MAXIMUM ACRES AND PLACE OF USE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

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

USDA AERIAL PHOTOGRAPH NO(S). 379-51 , DATED 08/16/1979 , APPEARS TO INDICATE 105.25 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CNR-3P-159 , DATED 08/01/1955 , APPEARS TO INDICATE 115.31 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE CLAIMED PLACE OF USE IS INCONSISTENT WITH THE PLACE OF USE DESCRIBED IN CASE NO. 556 (AMENDED), RAVALLI COUNTY DATED JANUARY 3, 1979.