

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: 76E 116992-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: NOWAK, BERNIE REVOCABLE TRUST
NOWAK BERNIE K TRUSTEE
4158 SKALKAHO RD
PHILIPSBURG, MT 59858-9701

WILLIAM WRAITH IV
168 LEES HILL RD
BASKING RIDGE, NJ 07920

ELLEN JACOB
168 LEES HILL RD
BASKING RIDGE, NJ 07920

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

Priority Date: JULY 1, 1895

Enforceable Priority Date: JULY 1, 1895

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 4.72 CFS

Maximum Volume: 699.60 AC-FT

THE VOLUME QUANTIFICATION ON THIS CLAIM IS THE RESULT OF A STIPULATION FILED BY THE PARTIES WITH THE WATER COURT ON 11/05/85. THE COURT HAS MADE NO DETERMINATION AS TO THE NEED FOR A VOLUME QUANTIFICATION ON THIS CLAIM AS PROVIDED FOR IN 85-2-234 (6) (B) (III) M.C.A.

Climatic Area: 5 - LOW

Maximum Acres: 159.00

Source Name: ROCK CREEK, EAST FORK

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		SWNESW	15	5N	15W	GRANITE

Period of Diversion: MAY 1 TO OCTOBER 4

Diversion Means: HEADGATE

2		NWNWNE	16	5N	15W	GRANITE
---	--	--------	----	----	-----	---------

Period of Diversion: MAY 1 TO OCTOBER 4

Diversion Means: HEADGATE

3		NWNWNE	16	5N	15W	GRANITE
---	--	--------	----	----	-----	---------

Period of Diversion: MAY 1 TO OCTOBER 4

Diversion Means: HEADGATE

4		NWNENW	16	5N	15W	GRANITE
---	--	--------	----	----	-----	---------

Period of Diversion: MAY 1 TO OCTOBER 4

Diversion Means: HEADGATE

5		NENESE	16	5N	15W	GRANITE
---	--	--------	----	----	-----	---------

Period of Diversion: MAY 1 TO OCTOBER 4

Diversion Means: HEADGATE

6		NENWNE	22	5N	15W	GRANITE
---	--	--------	----	----	-----	---------

Period of Diversion: MAY 1 TO OCTOBER 4

Diversion Means: HEADGATE

Period of Use: MAY 1 to OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	39.00		S2SW	9		5N	15W	GRANITE
2	120.00		NE	16		5N	15W	GRANITE
Total:	159.00							

Geocodes/Valid: 46-1373-09-1-01-01-0000 - Y 46-1373-09-3-01-01-0000 - Y
46-1373-16-1-01-01-0000 - Y 46-1373-16-1-02-02-0000 - Y

Remarks:

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/01/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 51653 RECEIVED 11/29/2007.

OWNERSHIP UPDATE TYPE 608 # 59998 RECEIVED 06/27/2008.

OWNERSHIP UPDATE TYPE DOR # 84183 RECEIVED 12/20/2008.

THIS CLAIM AND THE CLAIM NUMBERS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THIS COURT MAKES NO DETERMINATION OF CORRECT PREDECESSORS IN INTEREST. THESE CLAIMS, HOWEVER, SHALL NOT EXCEED 100 INCHES AS DECREED IN CASE NO. 2107. A DETERMINATION OF THE DIVISION OF WATER AMONG CLAIMANTS IS NOT MADE BY THIS COURT. W043212-00.