

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: 76G 126456-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners:
DENNIS DEMERS
1600 MODESTY CREEK RD
DEER LODGE, MT 59722-9604

SHARON DEMERS
1600 MODESTY CREEK RD
DEER LODGE, MT 59722-9604

HERBERT KELSEY
1582 UPPER RACETRACK RD
DEER LODGE, MT 59722

JACQUELINE J KELSEY
1582 UPPER RACETRACK RD
DEER LODGE, MT 59722

HELEN G SIMPSON
1873 UPPER RACETRACK RD
DEER LODGE, MT 59722-9722

Priority Date: MARCH 13, 1871
Enforceable Priority Date: MARCH 13, 1871

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate:
CASE NO. 5048, DEER LODGE COUNTY, DECREES 3/4 OF ALL THE WATERS FROM THE SOURCE.

Maximum Volume:
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 560.00

Source Name: MODESTY 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		NWNENE	29	6N	10W	DEER LODGE

Period of Diversion: APRIL 1 TO SEPTEMBER 30
Diversion Means: HEADGATE
Ditch Name: DONICH-MEYER DITCH

Period of Use: APRIL 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	80.00		N2NE	29	6N	10W	DEER LODGE
2	320.00		N2	28	6N	10W	DEER LODGE
3	80.00		N2SE	28	6N	10W	DEER LODGE
4	40.00		SWSE	28	6N	10W	DEER LODGE
5	40.00		NESW	28	6N	10W	DEER LODGE
Total:	560.00						

Geocodes/Valid: 30-1480-28-1-01-01-0000 - Y 30-1480-28-1-01-02-0000 - Y
30-1480-28-1-01-03-0000 - Y 30-1480-28-1-01-07-0000 - Y
30-1480-28-1-03-01-0000 - Y 30-1480-28-1-03-02-0000 - Y
30-1480-28-1-03-03-0000 - Y 30-1480-28-1-03-04-0000 - Y
30-1480-28-2-01-01-0000 - Y 30-1480-28-2-01-02-0000 - Y
30-1480-28-4-01-01-0000 - Y 30-1480-28-4-03-01-0000 - Y

30-1480-29-1-01-01-0000 - Y

Remarks:

CASE NO. 5048, DEER LODGE COUNTY, DECREES ALL OF THE WATERS FROM THIS SOURCE TO TWO PARTIES; 1/4 OF THE FLOW IS REPRESENTED BY CLAIM 76G-121083-00 AND 3/4 OF THE FLOW IS REPRESENTED BY CLAIM 76G-126456-00. SEE THE CLAIM FILES OR WATER COURT CASE 76G-389 FOR MORE INFORMATION.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/12/1999. DEMERS TO KELSEY - SPLIT - KELSEY RECEIVES LOT 1 (139 ACRES) IN THE SENE, N2SE, AND NESW OF SEC 28 AND A 46% INTEREST IN THE WATER RIGHT.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/07/89.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 13048 RECEIVED 02/12/1999.

OWNERSHIP UPDATE TYPE DOR # 134395 RECEIVED 07/31/2015.