

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 131597-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
DONNA S BAYS
615 POPHAM LN
CORVALLIS, MT 59828

LARRY A BAYS
615 POPHAM LN
CORVALLIS, MT 59828

DEREK POFF
1546 MERRIMAN WAY
CORVALLIS, MT 59828

JAMES W RIGG
2865 S PORTSIDE AVE
BOISE, ID 83706

MICHELLE J REESMAN
2865 S PORTSIDE AVE
BOISE, ID 83706

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 8, 1938
Enforceable Priority Date: APRIL 8, 1938

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 230.00 GPM

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: 48.61

Source Name: DRY 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		NWSESW	23	7N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: PUMP

Subdivision: SUMMERDALE ORCHARDS TRACT/LOT: 11-16 BLOCK: 1

Period of Use: APRIL 1 to OCTOBER 1

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	9.77		N2SESE	22	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 12 BLOCK: 12					
2	9.71		NESWSW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 14A BLOCK: 1					
3	9.71		NWSWSW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 13A BLOCK: 1					
4	9.71		SESWSW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 16A BLOCK: 1					
5	9.71		SWSWSW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 15A BLOCK: 1					
Total:	48.61						

Geocodes/Valid: 13-1565-22-4-01-03-0000 - Y 13-1565-23-3-01-02-0000 - Y
13-1565-23-3-01-06-0000 - Y 13-1565-23-3-01-07-0000 - Y

13-1565-23-3-01-10-0000 - 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.

131597-00 131598-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/22/1992.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/24/1994.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/19/1999.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 29003 RECEIVED 01/05/2006.

OWNERSHIP UPDATE TYPE 608 # 140112 RECEIVED 02/16/2016.

THE CLAIMED MEANS OF DIVERSION APPEARS TO BE INCORRECT AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 04/15/1999, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JIM W. RIGG AND MICHELLE J. REESMAN.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/24/2012, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY DONALD E. AND LAURA K. OLSON.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 08/06/1992, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LAURA AND LE MONTE MONSON.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 31.25 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-142 , DATED 08/02/1979 APPEARS TO INDICATE 16.41 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.