

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 131599-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: THOMAS S ROGAN
3763 TEAYS VALLEY RD
HURRICANE, WV 25526

ELIZABETH H ROGAN
3763 TEAYS VALLEY RD
HURRICANE, WV 25526

WILLIAM T FRANKENBERGER
3380 FERN LN
STEVENSVILLE, MT 59870

MARGARET E BEEBE FRANKENBERGER
3380 FERN LN
STEVENSVILLE, MT 59870

FOUNDATION PROPERTIES LLC
2505 UNIVERSITY BLVD
PO BOX 2230
AMES, IA 50010-2230

OWNER MARGARET E BEEBE FRANKENBERGER RETAINED. REMAINING LIFE ESTATE INTEREST.
OWNER WILLIAM T FRANKENBERGER RETAINED. REMAINING LIFE ESTATE INTEREST.

Priority Date: APRIL 1, 1872
Enforceable Priority Date: APRIL 1, 1872

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 78.54 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: 40.00

Source Name: MCCALLA 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	6	8N	20W	RAVALLI

Period of Diversion: APRIL 1 TO SEPTEMBER 4

Diversion Means: HEADGATE

Ditch Name: DOWNING DITCH D

2		NENWNW	5	8N	20W	RAVALLI
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Period of Diversion: APRIL 1 TO SEPTEMBER 4

Diversion Means: HEADGATE

Ditch Name: DOWNING DITCH E

DITCH NAME FOR DIVERSION NO. 2 IS: DOWNING E DITCH

DITCH NAME FOR DIVERSION NO. 01 IS: DOWNING D DITCH

Period of Use: APRIL 1 to SEPTEMBER 4

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	32	9N	20W	RAVALLI

Total: 40.00

Geocodes/Valid: 13-1764-32-4-01-01-0000 - Y 13-1764-32-4-01-02-0000 - Y
13-1764-32-4-01-03-0000 - 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.

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

131599-00 157857-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/29/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/19/93.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/23/99.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 4721 RECEIVED 09/18/2002.

OWNERSHIP UPDATE TYPE 608 # 42916 RECEIVED 11/22/2006.

OWNERSHIP UPDATE TYPE DOR # 133241 RECEIVED 07/01/2015.

OWNERSHIP UPDATE TYPE DOR # 143089 RECEIVED 05/26/2016.