

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 147298-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: MILTON DATSOPOULOS
201 W MAIN SUITE 201
MISSOULA, MT 59802

TIMOTHY R WHITE
414 SPOONER CREEK LN
STEVENSVILLE, MT 59870

PATRICIA O RHODES
PO BOX 34
CORVALLIS, MT 59828

SUTHERLIN LAND LLC
415 SPOONER CREEK LN
STEVENSVILLE, MT 59870

LINDA J YOCUM
414 SPOONER CREEK LN
STEVENSVILLE, MT 59870

PETER O RHODES
1007 8TH ST W
FAIRVIEW, MT 59221

REBECCA D RHODES
1007 8TH ST W
FAIRVIEW, MT 59221

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
OWNER PATRICIA O RHODES RETAINED. CONTRACT FOR DEED INTEREST.

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

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/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: 130.00

Source Name: BITTERROOT RIVER
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		SWSENW	20	7N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: SUPPLY (WOOD-PARKHURST) DITCH

Period of Use: APRIL 1 to OCTOBER 31

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	70.00		SE	27	8N	20W	RAVALLI
2	40.00		E2E2SW	27	8N	20W	RAVALLI
3	20.00		N2N2	34	8N	20W	RAVALLI
Total:	130.00						

DITCH AGREEMENT OF 1909, SUBMITTED WITH CLAIM, SUPPORTS CLAIMED

PLACE OF USE.

Geocodes/Valid:	13-1666-27-3-01-04-0000 - Y	13-1666-27-3-01-05-0000 - Y
	13-1666-27-3-01-06-0000 - Y	13-1666-27-3-01-09-0000 - Y
	13-1666-27-3-01-14-0000 - Y	13-1666-27-3-01-18-0000 - Y
	13-1666-27-3-01-23-0000 - Y	13-1666-34-1-01-01-0000 - Y
	13-1666-34-1-01-02-0000 - Y	13-1666-34-1-01-03-0000 - Y
	13-1666-34-1-01-46-0000 - 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.

147298-00 147299-00 147301-00

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.

147298-00 147304-00

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

- NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/26/88.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/02/90.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/19/90.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/02/90.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/07/87.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/22/90.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/16/88.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/15/92.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/14/92.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/92.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/30/92.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/25/94.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/27/95.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/30/95.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/96.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/03/97.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/26/01.
- WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/16/01.

OWNERSHIP UPDATE RECEIVED

- OWNERSHIP UPDATE TYPE 608 # 5850 RECEIVED 10/29/2002.
- OWNERSHIP UPDATE TYPE 608 # 13541 RECEIVED 04/01/2004.
- OWNERSHIP UPDATE TYPE 608 # 39794 RECEIVED 06/09/2006.
- OWNERSHIP UPDATE TYPE DOR # 103725 RECEIVED 06/08/2012.
- OWNERSHIP UPDATE TYPE DOR # 125955 RECEIVED 08/25/2014.
- OWNERSHIP UPDATE TYPE DOR # 139170 RECEIVED 12/01/2015.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 160 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 49006-00, 49012-00, 107709-00, 107720-00, 147298-00, 147304-00.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/15/2012, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY MARY RHODES-OSLER.

Remarks:

USDA AERIAL PHOTOGRAPH NO(S). 179-140, CNR-2P-173 , DATED 08/02/1979, 08/01/1955 , APPEARS TO INDICATE 85.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

PART OF THE CLAIMED PLACE OF USE MAY BE QUESTIONABLE. IT DOES NOT APPEAR THE PLACE OF USE ABOVE THE WOOD-PARKHURST DITCH CAN BE IRRIGATED FROM THE CLAIMED SOURCE.