

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 4057-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

WILLIAM J SPARLING
1661 SUTHERLAND LN
CORVALLIS, MT 59828

MARY E SPARLING
1661 SUTHERLAND LN
CORVALLIS, MT 59828

CLARISSA PATZER
1745 SUTHERLAND LN
CORVALLIS, MT 59828-9678

JACK E THOMPSON
1741 SUTHERLAND LN
CORVALLIS, MT 59828-9678

LINDA R THOMPSON
1741 SUTHERLAND LN
CORVALLIS, MT 59828-9678

STEVEN G ZECH
470 ARROW POINT LN
HAMILTON, MT 59840-9266

POPHAM FAMILY TRUST
360 POPHAM LN
CORVALLIS, MT 59828

HARRY J BRUNETT
1705 SUTHERLAND LN
CORVALLIS, MT 59828

DANA L KELLER
1733 SUTHERLAND LN
CORVALLIS, MT 59828

JEREMY C POTTER
1729 SUTHERLAND LN
CORVALLIS, MT 59828-9678

RACHEL R POTTER
1729 SUTHERLAND LN
CORVALLIS, MT 59828-9678

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

Priority Date: JUNE 30, 1902

Enforceable Priority Date: JUNE 30, 1902

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 1.25 CFS

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: 160.00

Source Name: HOLLORON GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID Govt Lot Qtr Sec Sec Twp Rge County

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	22	7N	20W	RAVALLI

Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

Ditch Name: MCCULLOCH DITCH

2- SECONDARY		NWNWNE	22	7N	20W	RAVALLI
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Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: PUMP

WATER DIVERTED FROM HOLLORON GULCH IS CONVEYED TO MCCULLOCH DITCH WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NWNWNE SEC 22 TWP 7N RGE 20W RAVALLI COUNTY.

Period of Use: APRIL 1 to NOVEMBER 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	80.00		E2NW	22	7N	20W	RAVALLI
2	20.00		E2W2NW	22	7N	20W	RAVALLI
3	40.00		NESW	22	7N	20W	RAVALLI
4	20.00		E2NWSW	22	7N	20W	RAVALLI
Total:	160.00						

Geocodes/Valid:	13-1565-22-2-01-01-0000 - Y	13-1565-22-2-01-02-0000 - Y
	13-1565-22-2-01-03-0000 - Y	13-1565-22-2-01-04-0000 - Y
	13-1565-22-2-01-05-0000 - Y	13-1565-22-2-01-06-0000 - Y
	13-1565-22-2-01-07-0000 - Y	13-1565-22-2-01-08-0000 - Y
	13-1565-22-2-01-09-0000 - Y	13-1565-22-2-01-10-0000 - Y
	13-1565-22-2-01-11-0000 - Y	13-1565-22-2-01-12-0000 - 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.

4054-00 4055-00 4056-00 4057-00

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.

4057-00 4058-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/21/1990: MAXIMUM ACRES, PLACE OF USE.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/23/1993.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/21/1990.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/13/1990.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/29/1193.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 8196 RECEIVED 04/16/2003.

OWNERSHIP UPDATE TYPE 608 # 11512 RECEIVED 11/19/2003.

OWNERSHIP UPDATE TYPE 608 # 14605 RECEIVED 06/04/2004.

OWNERSHIP UPDATE TYPE 608 # 23163 RECEIVED 07/08/2005.

OWNERSHIP UPDATE TYPE 608 # 36377 RECEIVED 04/14/2006.

OWNERSHIP UPDATE TYPE 608 # 46949 RECEIVED 06/08/2007.

OWNERSHIP UPDATE TYPE 608 # 51554 RECEIVED 11/29/2007.

OWNERSHIP UPDATE TYPE 608 # 52220 RECEIVED 12/17/2007.

OWNERSHIP UPDATE TYPE DOR # 102358 RECEIVED 12/31/2010.

OWNERSHIP UPDATE TYPE DOR # 85392 RECEIVED 03/23/2011.

OWNERSHIP UPDATE TYPE DOR # 137598 RECEIVED 03/29/2012.

Remarks:

OWNERSHIP UPDATE TYPE 608 # 120033 RECEIVED 04/21/2014.

OWNERSHIP UPDATE TYPE 608 # 120498 RECEIVED 04/21/2014.

OWNERSHIP UPDATE TYPE DOR # 132209 RECEIVED 03/31/2015.

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 50 MINER'S INCHES DECREED IN CASE NO. 4503, RAVALLI COUNTY. 4057-00, 4058-00, 150888-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/31/2010, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JEREMY AND RACHEL POTTER.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/20/2004, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CAMERON AND KATHERINE POTTER.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/28/2007, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LAVERN AND RHONDA MULLET.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 4054-00, 4055-00, 4056-00, 4057-00, 150887-00, 150888-00, 150894-00, 150895-00.

USDA AERIAL PHOTOGRAPH NO. 179-142 , DATED 08/02/1979 APPEARS TO INDICATE 130.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. CASE NO. 4503 , RAVALLI COUNTY, DOES NOT SPECIFY A DAY . THE CLAIMS LISTED FOLLOWING THIS STATEMENT HAVE CLAIMED VARYING PRIORITY DATES. 4057-00, 4058-00, 150888.