

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 4079-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** BARBARA LAVENDER  
948 WILLOW CREEK RD  
CORVALLIS, MT 59828  
  
RICHARD LAVENDER  
948 WILLOW CREEK RD  
CORVALLIS, MT 59828  
  
CATHERINE E HANSON  
922 WILLOW CREEK RD  
CORVALLIS, MT 59828  
  
DIANE M WELTY  
18320 E MULLAN RD  
CLINTON, MT 59825  
  
CALVIN MCOMBER  
PO BOX 69  
CORVALLIS, MT 59828  
  
CHESEBRO RANCH LLC  
881 WILLOW CREEK RD  
CORVALLIS, MT 59828  
  
DALE FOWLER  
937 WILLOW CREEK RD  
CORVALLIS, MT 59828  
  
JUDY L FOWLER  
937 WILLOW CREEK RD  
CORVALLIS, MT 59828

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

**Priority Date:** MAY 1, 1887  
**Enforceable Priority Date:** MAY 1, 1887

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 2.25 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:** 320.00

**Source Name:** WILLOW 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         |                 | NENENE         | 10         | 6N         | 20W        | RAVALLI       |

**Period of Diversion:**  
**Diversion Means:** HEADGATE

|   |  |        |    |    |     |         |
|---|--|--------|----|----|-----|---------|
| 2 |  | NESWNE | 11 | 6N | 20W | RAVALLI |
|---|--|--------|----|----|-----|---------|

**Period of Diversion:**  
**Diversion Means:** HEADGATE

**Ditch Name:** GODDARD-HULL DITCH

|           |                 |                |            |            |            |               |
|-----------|-----------------|----------------|------------|------------|------------|---------------|
| <u>ID</u> | <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
| 3         |                 | SEENW          | 12         | 6N         | 20W        | RAVALLI       |

**Period of Diversion:**

**Diversion Means:** HEADGATE

**Ditch Name:** ROBBINS DITCH

**Period of Use:**

**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         |                 | W2NE           | 2          | 6N         | 20W        | RAVALLI       |
| 2             | 80.00         |                 | E2NW           | 2          | 6N         | 20W        | RAVALLI       |
| 3             | 40.00         |                 | SWNW           | 2          | 6N         | 20W        | RAVALLI       |
| 4             | 80.00         |                 | N2SW           | 2          | 6N         | 20W        | RAVALLI       |
| 5             | 40.00         |                 | SENE           | 3          | 6N         | 20W        | RAVALLI       |
| <b>Total:</b> | <b>320.00</b> |                 |                |            |            |            |               |

**Geocodes/Valid:** 13-1468-02-1-01-05-0000 - Y      13-1468-02-1-01-10-0000 - Y  
 13-1468-02-1-01-11-0000 - Y      13-1468-02-1-01-12-0000 - Y  
 13-1468-02-1-01-17-0000 - Y      13-1468-02-2-01-02-0000 - Y  
 13-1468-02-2-01-03-0000 - Y      13-1468-02-2-01-06-0000 - Y  
 13-1468-03-1-01-13-0000 - Y

**Remarks:**

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 35940 RECEIVED 04/19/2006.  
 OWNERSHIP UPDATE TYPE DOR # 81094 RECEIVED 02/20/2009.  
 OWNERSHIP UPDATE TYPE DOR # 102198 RECEIVED 12/22/2009.  
 OWNERSHIP UPDATE TYPE DOR # 122073 RECEIVED 05/16/2014.  
 OWNERSHIP UPDATE TYPE DOR # 127822 RECEIVED 10/01/2014.

AN AMENDMENT WAS SUBMITTED ON 12/05/2005 REQUESTING TO AMEND THE PERIOD OF USE, PLACE OF USE, AND PRIORITY DATE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

NO PERIOD OF USE HAS BEEN CLAIMED. THE USUAL AND REASONABLE PERIOD OF USE IN THIS AREA IS APRIL 1 TO OCTOBER 31.

THE RAVALLI COUNTY WATER RESOURCES SURVEY ( 1958 ) APPEARS TO INDICATE 167.32 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-144 , DATED 08/02/1979 APPEARS TO INDICATE 253.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.