

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 4082-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
DIANE M WELTY
18320 E MULLAN RD
CLINTON, MT 59825

CALVIN MCOMBER
PO BOX 69
CORVALLIS, MT 59828

KEVIN REEDER
1001 WILLOW CREEK RD
CORVALLIS, MT 59828

ALBERT J BABEL
997 WILLOW CREEK RD
CORVALLIS, MT 59828-9476

CAROL L BABEL
997 WILLOW CREEK RD
CORVALLIS, MT 59828-9476

DALE FOWLER
937 WILLOW CREEK RD
CORVALLIS, MT 59828

JUDY L FOWLER
937 WILLOW CREEK RD
CORVALLIS, MT 59828

Priority Date: MAY 1, 1871
Enforceable Priority Date: MAY 1, 1871

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 3.00 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: 200.00

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		NESWNE	11	6N	20W	RAVALLI

Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: GODDARD-HULL DITCH

2		SENENW	12	6N	20W	RAVALLI
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Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: ROBBINS DITCH

Period of Use: MAY 1 to SEPTEMBER 30

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		SWNW	2	6N	20W	RAVALLI
2	40.00		NWSW	2	6N	20W	RAVALLI
3	40.00		SENE	3	6N	20W	RAVALLI
4	80.00		E2SE	3	6N	20W	RAVALLI

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>
Total:	200.00						
Geocodes/Valid:		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	
		13-1468-03-1-01-14-0000 - Y				13-1468-03-1-01-15-0000 - Y	

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/22/1992: PLACE OF USE, MAXIMUM ACRES.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/06/1997.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/04/1993.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/28/1999.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/18/1998.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/26/1993.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 14505 RECEIVED 05/28/2004.

OWNERSHIP UPDATE TYPE 608 # 24320 RECEIVED 08/19/2005.

OWNERSHIP UPDATE TYPE 608 # 35935 RECEIVED 04/19/2006.

OWNERSHIP UPDATE TYPE DOR # 122074 RECEIVED 05/16/2014.

OWNERSHIP UPDATE TYPE DOR # 127822 RECEIVED 10/01/2014.

AN AMENDMENT WAS SUBMITTED ON 04/25/2006 REQUESTING TO AMEND THE PERIOD OF USE AND PRIORITY DATE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

AN AMENDMENT WAS SUBMITTED ON 11/28/2005 REQUESTING TO AMEND THE PERIOD OF USE AND PRIORITY DATE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

AN AMENDMENT WAS SUBMITTED ON 08/28/2014 REQUESTING TO AMEND THE PERIOD OF DIVERSION AND PERIOD OF USE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

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 120 MINER'S INCHES DECREED IN CASE NO. 931, RAVALLI COUNTY. 4082-00, 27606-00, 27609-00.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. POINT OF DIVERSION NO. 2 DOES NOT APPEAR TO IRRIGATE THE PLACE OF USE AS REPRESENTED BY THE AMENDMENT RECEIVED 05/22/1992. THERE ALSO APPEARS TO BE AN ADDITIONAL POINT OF DIVERSION IN THE SENENE SEC 10 TWP 6N RGE 20W RAVALLI COUNTY.