

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 5202-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

CLARENCE A BENDER
PO BOX 461
DARBY, MT 59829

LENA M BENDER
PO BOX 461
DARBY, MT 59829

MARCUCCI FAMILY REVOCABLE TRUST
1100 CROWN DR
RENO, NV 89503

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

Priority Date: APRIL 1, 1889

Enforceable Priority Date: APRIL 1, 1889

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 28.05 GPM

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: 2.00

Source Name: TIN CUP 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		SWSWSW	16	3N	21W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 19

Diversion Means: HEADGATE

Ditch Name: MCINTOSH-MORELLO LOWLINE DITCH

Period of Use: APRIL 1 to OCTOBER 19

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	2.00		SESENE	21	3N	21W	RAVALLI

Total: 2.00

Geocodes/Valid: 13-1176-21-2-01-07-0000 - Y 13-1176-21-2-01-39-0000 - Y
13-1176-22-1-01-25-0000 - Y

Remarks:

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.

5202-00 5203-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/20/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/07/91.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/18/00.

OWNERSHIP UPDATE RECEIVED

Remarks:

OWNERSHIP UPDATE TYPE 608 # 16127 RECEIVED 08/09/2004.
OWNERSHIP UPDATE TYPE 608 # 21041 RECEIVED 05/03/2005.
OWNERSHIP UPDATE TYPE 608 # 27203 RECEIVED 12/08/2005.
OWNERSHIP UPDATE TYPE 608 # 36442 RECEIVED 03/13/2006.