

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 99799-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

MILTON DATSOPOULOS  
201 W MAIN SUITE 201  
MISSOULA, MT 59802

JOHN W UTTER  
597 CUSHMAN RD  
PAWLING, NY 12564

MARY E UTTER  
597 CUSHMAN RD  
PAWLING, NY 12564

JOANN M RUSNELL  
PO BOX 422  
VICTOR, MT 59875

MICHAEL L RUSNELL  
PO BOX 422  
VICTOR, MT 59875

TERRI J LEWIS  
2388 KELSEY WAY  
STEVENSVILLE, MT 59870

GERALD J ALLEN  
2611 ALLEN WAY  
VICTOR, MT 59875

WILLIAM R BAIRD  
2373 KELSEY WAY  
STEVENSVILLE, MT 59870-6917

CRYSTAL J BAIRD  
2373 KELSEY WAY  
STEVENSVILLE, MT 59870-6917

CAROLYN VERNIER  
PO BOX 202  
STEVENSVILLE, MT 59870-0202

SUTHERLIN LAND LLC  
415 SPOONER CREEK LN  
STEVENSVILLE, MT 59870

MARSHA K SWITZER  
2342 KELSEY LN  
STEVENSVILLE, MT 59870-6971

TIMOTHY L PETERSON  
2348 KELSEY LN  
STEVENSVILLE, MT 59870

ADRIENNA M PETERSON  
372 CEMETARY RD  
CORVALLIS, MT 59828-9707

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 10, 1918

**Enforceable Priority Date:** JUNE 10, 1918

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** 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:** 50.00  
**Source Name:** UNNAMED TRIBUTARY OF BITTERROOT RIVER  
**Source Type:** SURFACE WATER  
 ALSO KNOWN AS PARKER GULCH

**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		NENWSW	26	8N	20W	RAVALLI

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**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	40.00		NESE	27	8N	20W	RAVALLI
2	10.00		E2NWSE	27	8N	20W	RAVALLI
<b>Total:</b>	50.00						

**Geocodes/Valid:** 13-1666-27-3-01-01-0000 - Y      13-1666-27-3-01-13-0000 - Y  
 13-1666-27-3-01-19-0000 - Y      13-1666-27-3-01-21-0000 - Y  
 13-1666-27-3-01-22-0000 - Y      13-1666-27-3-01-36-0000 - 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.

99799-00      99800-00

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

- NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/02/90.
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- NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/02/90.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/19/90.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/07/87.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/22/90.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 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 06/30/95.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/96.
- 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 # 7796 RECEIVED 03/25/2003.
- OWNERSHIP UPDATE TYPE 608 # 39794 RECEIVED 06/09/2006.
- OWNERSHIP UPDATE TYPE 608 # 38631 RECEIVED 06/09/2006.
- OWNERSHIP UPDATE TYPE DOR # 92330 RECEIVED 02/19/2010.
- OWNERSHIP UPDATE TYPE DOR # 99809 RECEIVED 06/17/2011.
- OWNERSHIP UPDATE TYPE DOR # 103725 RECEIVED 06/08/2012.
- OWNERSHIP UPDATE TYPE DOR # 110357 RECEIVED 04/01/2013.
- OWNERSHIP UPDATE TYPE DOR # 112029 RECEIVED 05/14/2013.

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

USDA AERIAL PHOTOGRAPH NO(S). 179-140 , DATED 08/02/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO. CNR-2P-173 , DATED 08/01/1955 APPEARS TO INDICATE 5.76 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.