

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 99881-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

LULU HILDA GRIMM  
PO BOX 55  
STEVENSVILLE, MT 59870

STEVEN R PARSONS  
2757 BEAVERTAIL LN  
STEVENSVILLE, MT 59870-6968

JULIE A PARSONS  
2757 BEAVERTAIL LN  
STEVENSVILLE, MT 59870-6968

TOMAS KERN  
91 BELL CROSSING E  
STEVENSVILLE, MT 59870

MARIANNE KERN  
91 BELL CROSSING E  
STEVENSVILLE, MT 59870

MICHAEL SUNDERLAND  
2779 LOLO WAY  
STEVENSVILLE, MT 59870

LINDA SUNDERLAND  
2779 LOLO WAY  
STEVENSVILLE, MT 59870

MAUREEN D DURSO  
2770 LOCO WAY  
STEVENSVILLE, MT 59870

WILLIAM E PHELPS JR  
2764 RIVER BEND LN  
STEVENSVILLE, MT 59870

CLAIR W CABAL  
2688 RIVERBEND LN  
STEVENSVILLE, MT 59870

DANNY J FARRELL  
2784 LOCO WAY  
STEVENSVILLE, MT 59870-6990

AMY J FARRELL  
2784 LOCO WAY  
STEVENSVILLE, MT 59870

ROSEBERRY FAMILY TRUST  
% CHARLES & LINDA ROSEBERRY TRUSTEE  
113 BELL XING E  
STEVENSVILLE, MT 59870

DAWN E DOMINO  
157 BELL CROSSING E  
STEVENSVILLE, MT 59870

RUBY L DOMINO  
157 BELL CROSSING E  
STEVENSVILLE, MT 59870

JAMES R BROWN  
2670 RIVER BEND LN  
STEVENSVILLE, MT 59870-6900

DAVID L LYNN  
2714 RIVER BEND LANE  
STEVENSVILLE, MT 59870

AMY S LYNN  
2714 RIVER BEND LANE  
STEVENSVILLE, MT 59870

ANITA Y BROWN  
2670 RIVER BEND LN  
STEVENSVILLE, MT 59870-6900

GARY H MITTELSTADT  
2787 BEAVERTAIL LN  
STEVENSVILLE, MT 59870

LINDA ROSEBERRY  
113 BELL CROSSING E  
STEVENSVILLE, MT 59870

KELLEY, JIM & WHITNEY LIVING TRUST  
2775 BELL POND WAY  
STEVENSVILLE, MT 59870

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

**Priority Date:** SEPTEMBER 8, 1885

**Enforceable Priority Date:** SEPTEMBER 8, 1885

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 12.50 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:** BITTERROOT RIVER

**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         |                 | NESWSE         | 29         | 8N         | 20W        | RAVALLI       |

**Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to OCTOBER 15

**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        |                 | NENW           | 21         | 8N         | 20W        | RAVALLI       |
| 2             | 80.00        |                 | W2NW           | 21         | 8N         | 20W        | RAVALLI       |
| 3             | 40.00        |                 | NWSW           | 21         | 8N         | 20W        | RAVALLI       |
| <b>Total:</b> | 160.00       |                 |                |            |            |            |               |

**Geocodes/Valid:**

|                             |                             |
|-----------------------------|-----------------------------|
| 13-1666-21-1-01-28-0000 - Y | 13-1666-21-1-01-29-0000 - Y |
| 13-1666-21-1-01-30-0000 - Y | 13-1666-21-1-01-31-0000 - Y |
| 13-1666-21-1-01-33-0000 - Y | 13-1666-21-1-01-35-0000 - Y |
| 13-1666-21-1-01-36-0000 - Y | 13-1666-21-1-01-37-0000 - Y |
| 13-1666-21-1-01-38-0000 - Y | 13-1666-21-1-01-39-0000 - Y |
| 13-1666-21-1-01-40-0000 - Y | 13-1666-21-1-01-41-0000 - Y |
| 13-1666-21-1-01-43-0000 - Y | 13-1666-21-1-01-44-0000 - Y |
| 13-1666-21-1-01-45-0000 - 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.

99877-00    99878-00    99879-00    99880-00    99881-00

**Remarks:**

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/1987.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/07/1991.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/17/1996.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/05/1991.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/18/1991.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/20/1992.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/18/1992.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/13/1997.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/10/1997.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/22/1998.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/30/2001.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/23/2001.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 4364 RECEIVED 08/29/2002.

OWNERSHIP UPDATE TYPE 608 # 6221 RECEIVED 12/24/2002.

OWNERSHIP UPDATE TYPE 608 # 9571 RECEIVED 07/17/2003.

OWNERSHIP UPDATE TYPE 608 # 12368 RECEIVED 01/20/2004.

OWNERSHIP UPDATE TYPE 608 # 14507 RECEIVED 06/03/2004.

OWNERSHIP UPDATE TYPE 608 # 24669 RECEIVED 08/10/2005.

OWNERSHIP UPDATE TYPE 608 # 27087 RECEIVED 12/01/2005.

OWNERSHIP UPDATE TYPE 608 # 39569 RECEIVED 07/05/2006.

OWNERSHIP UPDATE TYPE 608 # 41623 RECEIVED 09/19/2006.

OWNERSHIP UPDATE TYPE 608 # 42851 RECEIVED 11/20/2006.

OWNERSHIP UPDATE TYPE 608 # 49497 RECEIVED 10/02/2007.

OWNERSHIP UPDATE TYPE DOR # 108810 RECEIVED 01/24/2013.

OWNERSHIP UPDATE TYPE DOR # 112021 RECEIVED 06/24/2013.

OWNERSHIP UPDATE TYPE 608 # 120458 RECEIVED 04/28/2014.

OWNERSHIP UPDATE TYPE 608 # 120457 RECEIVED 04/30/2014.

OWNERSHIP UPDATE TYPE DOR # 121910 RECEIVED 06/04/2014.

OWNERSHIP UPDATE TYPE DOR # 125097 RECEIVED 07/25/2014.

OWNERSHIP UPDATE TYPE DOR # 123462 RECEIVED 07/31/2014.

OWNERSHIP UPDATE TYPE DOR # 125160 RECEIVED 08/28/2014.

OWNERSHIP UPDATE TYPE DOR # 134444 RECEIVED 07/03/2015.

OWNERSHIP UPDATE TYPE DOR # 135978 RECEIVED 07/17/2015.

OWNERSHIP UPDATE TYPE DOR # 144779 RECEIVED 07/01/2016.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/26/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SEVERAL DIFFERENT OWNERS.

THE RAVALLI COUNTY WATER RESOURCES SURVEY ( 1958 ) APPEARS TO INDICATE 100.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-122 , DATED 08/02/1979 APPEARS TO INDICATE 111.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWSWE SEC 29 TWP 08N RGE 20W RAVALLI COUNTY.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BITTERROOT RIVER WITH A PRIORITY DATE PREDATING CASE NO. 1287, RAVALLI COUNTY.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE SOURCE, POINT OF DIVERSION, AND PLACE OF USE DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED SOURCE, POINT OF DIVERSION, AND PLACE OF USE.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE RIGHT.