

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: 76G 100077-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: TWO BAR RANCH LP
91 RACE TRACK RD
DEER LODGE, MT 59722-8752

RIP J BERG
2018 YELLOWSTONE TRL
DEER LODGE, MT 59722-9784

BECK, MELVIN R RANCH LLC
500 GREENHOUSE RD
DEER LODGE, MT 59722-8712

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 28, 1966

Enforceable Priority Date: SEPTEMBER 28, 1966

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 15.00 CFS

Maximum Volume: 4,500.00 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 780.00

Source Name: CLARK FORK 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		NENESW	33	7N	9W	POWELL

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

THE WATER IS DITCHED TO A SUMP AT WHICH POINT IT IS PUMPED INTO A PIPELINE TO THE IRRIGATED GROUNDS.

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	68.00		E2SE	29	7N	9W	POWELL
2	135.00		SW	29	7N	9W	POWELL
3	134.00		NE	32	7N	9W	POWELL
4	148.00		NW	32	7N	9W	POWELL
5	135.00		SE	32	7N	9W	POWELL
160	160.00		SW	32	7N	9W	POWELL
Total:	780.00						

Geocodes/Valid: 28-1578-29-1-01-02-0000 - Y 28-1578-29-3-01-02-0000 - Y
28-1578-32-1-01-01-0000 - Y 28-1578-32-2-01-01-0000 - Y
28-1578-32-3-01-01-0000 - 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.

100077-00 100079-00 100081-00

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/17/95.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 33836 RECEIVED 02/09/2006.

OWNERSHIP UPDATE TYPE 608 # 32128 RECEIVED 03/13/2006.

OWNERSHIP UPDATE TYPE 608 # 54291 RECEIVED 02/06/2008.

OWNERSHIP UPDATE TYPE DOR # 97781 RECEIVED 12/29/2011.

THE TIMELY FILED OBJECTION OF MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION WAS AMENDED BY THE PARTIES TO INCLUDE POINT OF DIVERSION AND MEANS OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.