

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: 76LJ 100415-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
GARY G ROBERTS
886 LONE COYOTE TRL
KALISPELL, MT 59901

MARCY R ROBERTS
886 LONE COYOTE TRL
KALISPELL, MT 59901

Priority Date: AUGUST 30, 1949
Enforceable Priority Date: AUGUST 30, 1949

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 170.00 GPM
THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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: 10.00

Source Name: NATURAL PIT, UNNAMED TRIBUTARY OF STILLWATER RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS MOON LAKE

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 | | SENESE | 9 | 29N | 22W | FLATHEAD |

Period of Diversion: APRIL 15 TO OCTOBER 15
Diversion Means: PUMP

Period of Use: APRIL 15 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 | 5.00 | | SWNWSE | 9 | 29N | 22W | FLATHEAD |
| 2 | 5.00 | | NWSWSE | 9 | 29N | 22W | FLATHEAD |
| Total: | 10.00 | | | | | | |

Geocodes/Valid: 07-4077-09-4-02-10-0000 - Y 07-4077-09-4-02-12-0000 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 37642 RECEIVED 03/16/2006.

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

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 76LJ-100415-00, 76LJ-104690-00, 76LJ-109491-00, 76LJ-143849-00, 76LJ-147044-00 AND 76LJ-147045-00.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 04/01/2009, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CHRISTOPHER & SYLVIA BROWN.

THE FLATHEAD COUNTY WATER RESOURCES SURVEY (1965) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

Remarks:

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER SYSTEM WAS FIRST PUT TO USE.