

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: 76E 101663-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: NOWAK, BERNIE TRUST
% BERNARD K NOWAK
PO BOX 1626
EAGLE RIVER, WI 54521

Priority Date: SEPTEMBER 20, 1889

Enforceable Priority Date: SEPTEMBER 20, 1889

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 6.18 CFS

Maximum Volume: 1,483.20 AC-FT

THE VOLUME QUANTIFICATION ON THIS CLAIM IS THE RESULT OF AN AFFIDAVIT FILED BY THE CLAIMANT WITH THE WATER COURT ON 06/23/86. THE WATER COURT HAS MADE NO DETERMINATION AS TO THE NEED FOR A VOLUME QUANTIFICATION ON THIS CLAIM AS PROVIDED FOR IN 85-2-234 (6) (B) (III) M.C.A.

Climatic Area: 5 - LOW

Maximum Acres: 60.00

Source Name: UPPER WILLOW 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 | | SWSWSE | 19 | 7N | 15W | GRANITE |

Period of Diversion: MAY 20 TO SEPTEMBER 24

Diversion Means: HEADGATE

Period of Use: MAY 20 to SEPTEMBER 24

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 | 7.00 | | NENENW | 30 | 7N | 15W | GRANITE |
| 2 | 9.00 | | SENENW | 30 | 7N | 15W | GRANITE |
| 3 | 8.00 | | SWNENW | 30 | 7N | 15W | GRANITE |
| 4 | 10.00 | | NESWNW | 30 | 7N | 15W | GRANITE |
| 5 | 10.00 | | N2S2NW | 30 | 7N | 15W | GRANITE |
| 6 | 10.00 | | SWSWNW | 30 | 7N | 15W | GRANITE |
| 7 | 6.00 | | SESENE | 25 | 7N | 16W | GRANITE |
| Total: | 60.00 | | | | | | |

Geocodes/Valid: 46-1571-25-1-04-01-0000 - Y

46-1572-30-1-01-01-0000 - 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.

101663-00 101665-00

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 3868 RECEIVED 07/17/2002.

OWNERSHIP UPDATE TYPE 608 # 20452 RECEIVED 04/12/2005.