

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:** 76L 103307-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

MONTE ALTISSIMA LLC  
% JAMES STOTT  
28 FREEDOM LN  
PLAINS, MT 59859

LUKE UNDERHILL  
1850 MT HWY 135  
PLAINS, MT 59859

ANDREA UNDERHILL  
1850 MT HWY 135  
PLAINS, MT 59859

JEFFREY W MCINTYRE  
PO BOX 91  
PARADISE, MT 59856

CHERYLEE MCINTYRE  
PO BOX 91  
PARADISE, MT 59856

TERRY L MAUTH  
8596 MT HWY 200  
PLAINS, MT 59859

RICHARD CORNWELL  
1850 HWY 135  
PLAINS, MT 59859

JUDITH CORNWELL  
1850 HWY 135  
PLAINS, MT 59859

NANCY O BEECH  
PO BOX 15  
PARADISE, MT 59856

GILBERT W KUGEL  
PO BOX 100  
PARADISE, MT 59856

SANDRA R DENNING  
15 FREEDOM LN  
PLAINS, MT 59859

LISA A EBERHARDT  
PO BOX 1647  
PLAINS, MT 59859

STEVEN L EBERHARDT  
PO BOX 1647  
PLAINS, MT 59859

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 26, 1950

**Enforceable Priority Date:** JUNE 26, 1950

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 1.34 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:** 120.00

**Source Name:** FLATHEAD 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	5	NESWNE	3	18N	25W	SANDERS

**Period of Diversion:** MAY 15 TO OCTOBER 15  
**Diversion Means:** PUMP

**Period of Use:** MAY 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	18.00	6	SENE	3	18N	25W	SANDERS
2	22.00	5	SWNE	3	18N	25W	SANDERS
3	3.00	4	SENWNW	3	18N	25W	SANDERS
4	35.00		SENE	3	18N	25W	SANDERS
5	30.00		SWNW	3	18N	25W	SANDERS
6	12.00		NESW	3	18N	25W	SANDERS
<b>Total:</b>	120.00						

<u>Geocodes/Valid:</u>		
	35-2747-03-2-01-01-0000 - Y	35-2747-03-2-01-03-0000 - Y
	35-2747-03-2-01-05-0000 - Y	35-2747-03-2-01-08-0000 - Y
	35-2747-03-2-01-20-0000 - Y	35-2747-03-2-01-27-0000 - Y
	35-2747-03-2-01-30-0000 - Y	35-2747-03-2-01-35-0000 - Y
	35-2747-03-2-01-40-0000 - Y	35-2747-03-2-01-60-0000 - Y
	35-2747-03-3-01-01-0000 - Y	35-2747-03-3-01-30-0000 - Y
	35-2747-03-4-01-01-0000 - Y	35-2747-03-4-01-30-0000 - Y
	35-2747-03-4-01-40-0000 - Y	35-2747-03-4-01-50-0000 - Y
	35-2747-03-4-01-65-0000 - Y	

**Remarks:**

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

**OWNERSHIP UPDATE RECEIVED**

- OWNERSHIP UPDATE TYPE 608 # 30559 RECEIVED 01/25/2006.
- OWNERSHIP UPDATE TYPE 608 # 45891 RECEIVED 02/08/2006.
- OWNERSHIP UPDATE TYPE 608 # 57666 RECEIVED 04/24/2008.
- OWNERSHIP UPDATE TYPE 608 # 69510 RECEIVED 12/14/2009.
- OWNERSHIP UPDATE TYPE 608 # 69603 RECEIVED 12/16/2009.
- OWNERSHIP UPDATE TYPE 608 # 69468 RECEIVED 12/30/2009.
- OWNERSHIP UPDATE TYPE DOR # 120368 RECEIVED 04/05/2010.
- OWNERSHIP UPDATE TYPE DOR # 83721 RECEIVED 07/02/2010.
- OWNERSHIP UPDATE TYPE DOR # 134585 RECEIVED 09/11/2015.
- OWNERSHIP UPDATE TYPE DOR # 145140 RECEIVED 07/25/2016.

AN AMENDMENT WAS SUBMITTED ON 12/28/2009 REQUESTING TO AMEND THE POINT OF DIVERSION . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/01/2010, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY FRENCH, KUGEL, MANDICH, SNEAD, BODEKER.

THIS WATER RIGHT DOES NOT APPEAR TO BE USED ON PROPERTY OWNED BY MCINTYRE OR MONTE ALTISSIMA LLC.

USDA AERIAL PHOTOGRAPH NO(S). 279-105 , DATED 08/07/1979 , APPEARS TO INDICATE 64.17 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. NO-6DD-131 , DATED 07/27/1964 , APPEARS TO INDICATE 64.26 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.