

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 105119-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: JESSE C SMITH
2516 EASTSIDE HWY
STEVENSVILLE, MT 59870

DENNIS J SMITH
2516 EASTSIDE HWY
STEVENSVILLE, MT 59870

JIMMIE LEE ZEILER
45496 LOCUST LN
MOIESE, MT 59824

CAROL A ZEILER
45496 LOCUST LN
MOIESE, MT 59824

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

Priority Date: DECEMBER 31, 1945

Enforceable Priority Date: DECEMBER 31, 1945

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER

Maximum Flow Rate: 3.83 CFS

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: 2 - MODERATELY HIGH

Maximum Acres: 101.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER

Source Type: SURFACE WATER

THE SOURCE IS WATER COLLECTED IN A DRAIN DITCH.

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		SESENE	33	8N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: PUMP

Pump Size: 25.00 HP

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	23.00		SENE	33	8N	20W	RAVALLI
2	40.00		SWNW	34	8N	20W	RAVALLI
3	38.00		NWSW	34	8N	20W	RAVALLI
Total:	101.00						

Geocodes/Valid: 13-1666-33-4-01-01-0000 - Y 13-1666-34-1-01-11-0000 - Y
13-1666-34-1-01-13-0000 - Y

Remarks:

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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.

105118-00 105119-00

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 03/05/1999.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/30/1986.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/02/1993.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/22/1994.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/02/1988.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/03/1989.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/03/1984.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 126295 RECEIVED 09/04/2014.

OWNERSHIP UPDATE TYPE DOR # 132109 RECEIVED 06/03/2015.

THE CLAIMED FLOW RATE APPEARS TO EXCEED THE PUMP CAPACITY. AVAILABLE DATA SUPPORT A FLOW RATE OF 1.34 CFS.