

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:** 76GJ 107590-00 STATEMENT OF CLAIM

**Version:** 2 -- REEXAMINED

**Version Status:** ACTIVE

**Owners:** NICK D KESLER  
30 KESSLER LN  
PHILIPSBURG, MT 59858

**Priority Date:** APRIL 1, 1870

**Enforceable Priority Date:** APRIL 1, 1870

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FURROW

**Maximum Flow Rate:** 1.18 CFS

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 237.00

**Source Name:** LOWER 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		NENWNW	24	10N	13W	GRANITE

**Period of Diversion:** MAY 1 TO SEPTEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** COBERLY-HENDERSON-MORSE DITCH

**Period of Use:** MAY 1 to SEPTEMBER 30

**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	71.00		W2SE	12	10N	13W	GRANITE
2	15.00		E2E2SW	12	10N	13W	GRANITE
3	75.00		W2NE	13	10N	13W	GRANITE
4	37.50		E2NW	13	10N	13W	GRANITE
5	16.00		W2NWSE	13	10N	13W	GRANITE
6	22.50		E2NESW	13	10N	13W	GRANITE
<b>Total:</b>	237.00						

**Geocodes/Valid:** 46-1877-13-4-02-01-0000 - 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.

107586-00 107587-00 107589-00 107590-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/29/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/18/94.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 104963 RECEIVED 02/10/2010.

OWNERSHIP UPDATE TYPE DOR # 102685 RECEIVED 10/02/2013.

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**Remarks:**

DITCH NAME MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.