

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 108750-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
BEVERLY A PERRY
4578 MONTANA TRAIL
STEVENSVILLE, MT 59870

D RICHARD PERRY
4578 MONTANA TRAIL
STEVENSVILLE, MT 59870

DAVID E COLVIN
8538 KERNS RD
SAINT IGNATIUS, MT 59865

RORY STONE
1935 BROOKS ST #B
MISSOULA, MT 59801-6643

Priority Date: DECEMBER 31, 1900
Enforceable Priority Date: DECEMBER 31, 1900

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER

Maximum Flow Rate: 394.94 GPM

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: 83.00

Source Name: SPRING, UNNAMED TRIBUTARY OF THREEMILE 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	4	SWNWNW	5	9N	19W	RAVALLI

Period of Diversion: APRIL 10 TO OCTOBER 15

Diversion Means: HEADGATE

Subdivision: SUNNYSIDE ORCHARDS TRACT/LOT: 19 BLOCK: 14

Period of Use: APRIL 10 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	53.00		W2NW	5	9N	19W	RAVALLI
2	30.00		NE	6	9N	19W	RAVALLI
Subdivision:		SUNNYSIDE ORCHARDS TRACT/LOT 17, 18, 19, 21, 31					
Total:	83.00						

Geocodes/Valid:

13-1765-05-2-01-12-0000 - Y	13-1765-05-2-01-15-0000 - Y
13-1765-05-2-01-23-0000 - Y	13-1765-05-2-01-24-0000 - Y
13-1765-05-2-01-25-0000 - Y	13-1765-05-2-01-31-0000 - Y
13-1765-06-1-01-01-0000 - Y	13-1765-06-1-01-10-0000 - Y
13-1765-06-1-01-17-0000 - 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.

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Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/22/1985: PLACE OF USE, MAXIMUM ACRES.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/19/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/20/91.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/14/99.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 99049 RECEIVED 09/20/2011.

OWNERSHIP UPDATE TYPE DOR # 106022 RECEIVED 08/17/2012.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

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ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/18/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY NICK AND SHARON DUNN.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/18/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY GREGG AND KAREN WICKER.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE SOURCE DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED SOURCE.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE POND MENTIONED ON CLAIM FORM WAS FIRST PUT TO USE.