

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 109629-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: JOYCE MONTGOMERY
%JENNIE DUBOSE, PR
134 BELL CROSSING W
VICTOR, MT 59875

JAMES E LUEDERS
4018 US HWY 93 N
STEVENSVILLE, MT 59870-6443

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

Priority Date: JUNE 1, 1882

Enforceable Priority Date: JUNE 1, 1882

Type of Historical Right: DECREED

Purpose (use): STOCK

Maximum Flow Rate: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

Maximum Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG 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		NENENE	13	8N	21W	RAVALLI

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DIVERSION DAM

Ditch Name: PARKHILL DITCH

MEANS OF DIVERSION #1 IS A ROCK DAM/CULVERT

WATER FROM THE HISTORIC BIG CREEK CHANNEL IS DIVERTED INTO WHAT IS NOW DECLARED TO BE A NATURAL SIDE CHANNEL OF BIG CREEK (FORMERLY A PORTION OF THE PARKHILL DITCH). THIS DIVERSION POINT, LOCATED IN THE SWSESE SEC 12, T8N, R12W RAVALLI COUNTY, IS A WATER MANAGEMENT POINT UNDER THE SOLE CONTROL OF THE BIG CREEK WATER COMMISSIONER.

Period of Use: JANUARY 1 to DECEMBER 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			W2SESE	18	8N	20W	RAVALLI

Geocodes/Valid: 13-1666-18-4-01-01-0000 - Y 13-1666-18-4-01-02-0000 - Y

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

109629-00 109630-00

THE POINT OF DIVERSION WAS AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

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

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/28/89.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 41351 RECEIVED 09/01/2006.