

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:** 76LJ 7494-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
GEBHARDT FAMILY LLC  
530 MIDDLE RD  
KALISPELL, MT 59901  
  
ERIC M SHELTON  
600 FAIRVIEW XRD  
KALISPELL, MT 59901  
  
JENNIFER J SHELTON  
600 FAIRVIEW XRD  
KALISPELL, MT 59901

**Priority Date:** AUGUST 16, 1937  
**Enforceable Priority Date:** AUGUST 16, 1937

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION  
**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 2.23 CFS

**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:** 125.89

**Source Name:** MUSKRAT LAKE  
**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         |                 | NWSWSW         | 28         | 29N        | 20W        | FLATHEAD      |

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** DITCH

MEANS OF DIVERSION INCLUDES A DUG DITCH TO A PUMP SITE.

**Period of Use:** APRIL 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             | 72.25        |                 | E2SW           | 28         | 29N        | 20W        | FLATHEAD      |
| 2             | 23.64        |                 | NWSW           | 28         | 29N        | 20W        | FLATHEAD      |
| 3             | 30.00        |                 | SWSW           | 28         | 29N        | 20W        | FLATHEAD      |
| <b>Total:</b> | 125.89       |                 |                |            |            |            |               |

**Geocodes/Valid:** 07-4079-28-3-01-01-0000 - Y      07-4079-28-3-01-03-0000 - Y

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

1486-00    7494-00    14257-00    46833-00    50466-00    62957-00    66522-00  
101151-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/31/2015: PRIORITY DATE, TYPE OF RIGHT, POINT OF DIVERSION, PERIODS OF USE AND DIVERSION AND PLACE OF USE.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/29/1986.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/02/2000.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 89162 RECEIVED 02/07/2011.

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**Remarks:**

OWNERSHIP UPDATE TYPE DOR # 131642 RECEIVED 08/26/2014.

THE FLATHEAD COUNTY WATER RESOURCES SURVEY ( 1965 ) APPEARS TO INDICATE 92.21 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 1079-65 , DATED 09/24/1979 , APPEARS TO INDICATE 82.96 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.