

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 131598-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

DONNA S BAYS
615 POPHAM LN
CORVALLIS, MT 59828

LARRY A BAYS
615 POPHAM LN
CORVALLIS, MT 59828

KEELY TRUST
%JEAN K KEELY, TRUSTEE
PO BOX 1082
POLSON, MT 59860

NORMAN CREIGHTON
PO BOX 1082
POLSON, MT 59860

DEREK POFF
1546 MERRIMAN WAY
CORVALLIS, MT 59828

CARMEN FAMILY TRUST
CARMEN ROSS H & PATRICIA A TRUSTEES
PO BOX 55
CORVALLIS, MT 59828-0055

MARY E CAMDEN
1511 SUMMERDALE RD
CORVALLIS, MT 59828-9527

ROXANN SWANK
%BANCMONT PARTNERSHIP AS CUSTODIAN
715 NE OAK ST UNIT 1
PULLMAN, WA 99163

RONALD W COGBURN
1703 ARNOLD PALMER BLVD
LOUISVILLE, KY 40245

JAN A COGBURN
1703 ARNOLD PALMER BLVD
LOUISVILLE, KY 40245

MICHELL BIXLER
528 POPHAM LN
CORVALLIS, MT 59828

DONALD J GARDNER
1531 SUMMERDALE RD
CORVALLIS, MT 59828

DEBORAH K GARDNER
1531 SUMMERDALE RD
CORVALLIS, MT 59828

MARIO A TORRES
520 POPHAM LN
CORVALLIS, MT 59828

YVONNE M TORRES
520 POPHAM LN
CORVALLIS, MT 59828

RICKEY G SMITH
1617 SIMPSON LN
CORVALLIS, MT 59828-9630

RUTHIE A SMITH
1617 SIMPSON LN
CORVALLIS, MT 59828-9630

RICHARD L PARKS
514 POPHAM LN
CORVALLIS, MT 59828

IRENE A PARKS
514 POPHAM LN
CORVALLIS, MT 59828

KEN CATRON
14674 NURMI ST
SYLMAR, CA 91342

JILL E REESMAN
1525 SUMMERDALE RD
CORVALLIS, MT 59828-8527

JAMES W RIGG
2865 S PORTSIDE AVE
BOISE, ID 83706

MICHELLE J REESMAN
2865 S PORTSIDE AVE
BOISE, ID 83706

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

Priority Date: SEPTEMBER 10, 1910

Enforceable Priority Date: SEPTEMBER 10, 1910

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 5.00 CFS

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: 204.46

Source Name: DRY 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		SWSESE	23	7N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 1

Diversion Means: HEADGATE

Subdivision: SUMMERDALE ORCHARDS TRACT/LOT: 2 BLOCK: 9-10

Period of Use: APRIL 1 to OCTOBER 1

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	9.70		SESENE	22	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 8 BLOCK: 13					
2	9.70		SWSENE	22	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 7 BLOCK: 13					
3	9.77		S2NESE	22	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 12 BLOCK: 13					
4	9.81		N2S2NESE	22	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 9 BLOCK: 13					
5	9.78		S2S2NESE	22	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 11 BLOCK: 13					
6	9.71		N2SESE	22	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 9 BLOCK: 12					
7	9.77		N2N2SESE	22	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 12 BLOCK: 12					
8	9.71		N2NENW	23	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 9 BLOCK: 14					
9	9.11		S2NENW	23	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 12 BLOCK: 14					
10	2.00		S2SENE	23	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 7 BLOCK: 14					
11	9.71		S2SENE	23	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 8 BLOCK: 14					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
12	9.71		S2NESW	23	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 10A BLOCK: 14					
13	9.71		S2NESW	23	7N	20W	RAVALLI
	Subdivision:	MOUNTAIN VIEW ORCHARDS TRACT/LOT 11A BLOCK: 14					
14	9.00		N2N2SESW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 12 BLOCK: 1					
15	9.71		N2S2SESW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 11 BLOCK: 1					
16	9.71		N2S2SESW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 10 BLOCK: 1					
17	9.71		S2S2SESW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 9 BLOCK: 1					
18	9.71		NESWSW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 14 BLOCK: 1					
19	9.71		NWSWSW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 13 BLOCK: 1					
20	9.71		SESWSW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 16A BLOCK: 1					
21	9.71		SWSWSW	23	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 15A BLOCK: 1					
22	9.30		N2N2NENW	26	7N	20W	RAVALLI
	Subdivision:	SUMMERDALE ORCHARDS TRACT/LOT 8 BLOCK: 1					
Total:	204.46						
Geocodes/Valid:	13-1565-22-1-01-05-0000 - Y		13-1565-22-1-01-09-0000 - Y				
	13-1565-22-1-01-17-0000 - Y		13-1565-22-1-01-18-0000 - Y				
	13-1565-22-1-01-19-0000 - Y		13-1565-22-1-01-21-0000 - Y				
	13-1565-22-1-01-22-0000 - Y		13-1565-22-1-01-38-0000 - Y				
	13-1565-22-1-01-39-0000 - Y		13-1565-22-4-01-03-0000 - Y				
	13-1565-23-2-01-06-0000 - Y		13-1565-23-2-01-07-0000 - Y				
	13-1565-23-2-01-08-0000 - Y		13-1565-23-2-01-17-0000 - Y				
	13-1565-23-2-01-18-0000 - Y		13-1565-23-3-01-01-0000 - Y				
	13-1565-23-3-01-02-0000 - Y		13-1565-23-3-01-03-0000 - Y				
	13-1565-23-3-01-04-0000 - Y		13-1565-23-3-01-05-0000 - Y				
	13-1565-23-3-01-08-0000 - Y		13-1565-23-3-01-09-0000 - Y				
	13-1565-23-3-01-10-0000 - Y		13-1565-26-2-01-08-0000 - Y				
	13-1565-26-2-01-11-0000 - 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.

131597-00 131598-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/22/1992.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/1993.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/24/1994.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/19/1999.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 5538 RECEIVED 10/29/2002.

OWNERSHIP UPDATE TYPE 608 # 29003 RECEIVED 01/05/2006.

OWNERSHIP UPDATE TYPE DOR # 81646 RECEIVED 08/10/2009.

OWNERSHIP UPDATE TYPE DOR # 83602 RECEIVED 06/09/2010.

OWNERSHIP UPDATE TYPE DOR # 84615 RECEIVED 09/09/2010.

OWNERSHIP UPDATE TYPE DOR # 105184 RECEIVED 09/28/2012.

Remarks:

OWNERSHIP UPDATE TYPE DOR # 104710 RECEIVED 10/05/2012.
OWNERSHIP UPDATE TYPE DOR # 110185 RECEIVED 04/02/2013.
OWNERSHIP UPDATE TYPE DOR # 116184 RECEIVED 12/20/2013.
OWNERSHIP UPDATE TYPE 608 # 119476 RECEIVED 04/15/2014.
OWNERSHIP UPDATE TYPE DOR # 124636 RECEIVED 09/02/2014.
OWNERSHIP UPDATE TYPE DOR # 139922 RECEIVED 11/30/2015.
OWNERSHIP UPDATE TYPE 608 # 140108 RECEIVED 02/16/2016.
OWNERSHIP UPDATE TYPE DOR # 148636 RECEIVED 08/31/2016.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/06/2013, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SEVERAL DIFFERENT OWNERS. SEE CLAIM FILE.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 167.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. 179-142 , DATED 08/02/1979 APPEARS TO INDICATE 142.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.