

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:** 76L 134841-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** USA IN TRUST CONFEDERATED SALISH & KOOTENAI TRIBES  
PO BOX 278  
PABLO, MT 59855  
  
ERNEST OTOUPALIK  
PO BOX 70  
ARLEE, MT 59821

**Priority Date:** APRIL 30, 1967  
**Enforceable Priority Date:** APRIL 30, 1967

**Type of Historical Right:** USE

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

**Maximum Flow Rate:** 1.00 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:** 70.00

**Source Name:** MISSION 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	NENWNW	4	18N	21W	SANDERS

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** PUMP

**Period of Use:** APRIL 1 to OCTOBER 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	29.76	3	NENW	4	18N	21W	SANDERS
2	20.24	4	NWNW	4	18N	21W	SANDERS
3	20.00	6	S2NW	4	18N	21W	SANDERS
<b>Total:</b>	70.00						

**Geocodes/Valid:** 35-2752-04-2-01-01-0000 - Y      35-2752-04-2-01-10-0000 - Y  
35-2752-04-2-01-30-0000 - 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.

134841-00    134842-00

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 45762 RECEIVED 04/30/2007.

OWNERSHIP UPDATE TYPE DOR # 81936 RECEIVED 12/18/2008.

NOT CLEAR HOW WATER IS CONVEYED TO THE PLACE OF USE LOCATIONS NORTH AND SOUTH OF MISSION CREEK

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**Remarks:**

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ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/24/2009, A PORTION OF  
THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CONFEDERATED  
SALISH KOOTENAI TRIBE.  
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USDA AERIAL PHOTOGRAPH NO(S). 979-165 , DATED 09/23/1979 , APPEARS TO INDICATE 32.00 ACRES  
IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. MO-4P-006 , DATED 08/16/1955 , APPEARS TO INDICATE 50.00 ACRES  
IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.  
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