

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 134872-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** GENE ERB JR  
78185 US HIGHWAY 93  
SAINT IGNATIUS, MT 59865

**Priority Date:** MARCH 31, 1910  
**Enforceable Priority Date:** MARCH 31, 1910

**Type of Historical Right:** FILED

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

**Maximum Flow Rate:** 1.25 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:** 120.00

**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		NWNWNW	29	18N	19W	LAKE

**Period of Diversion:** MAY 1 TO OCTOBER 31  
**Diversion Means:** HEADGATE

**Period of Use:** MAY 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	30.00		NWSESW	14	18N	20W	LAKE
2	30.00		N2SWSW	14	18N	20W	LAKE
3	30.00		NESE	15	18N	20W	LAKE
4	30.00		NESESE	15	18N	20W	LAKE
<b>Total:</b>	120.00						

**Geocodes/Valid:** 15-2753-14-3-02-02-0000 - Y 15-2753-14-3-02-03-0000 - 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.

134871-00 134872-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/13/1985.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 35686 RECEIVED 04/13/2006.

OWNERSHIP UPDATE TYPE DOR # 123523 RECEIVED 07/01/2014.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/22/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY DAVID H & LINDA L SNYDER, PO BOX 788, SAINT. IGNATIUS, MT, 59865-0788.

USDA AERIAL PHOTOGRAPH NO(S). 1079-28 , DATED 09/24/1979 , APPEARS TO INDICATE 46.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. MO-1P-127 , DATED 08/14/1955 , APPEARS TO INDICATE 42.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**Remarks:**

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE PRIMARY POINT OF DIVERSION APPEARS TO BE FATHER'S DITCH IN GOVT LOT 2 IN THE SESWNW OF SEC 19, T18N, R19W, LAKE COUNTY. THE SECONDARY POINT OF DIVERSION APPEARS TO BE AN UNNAMED DITCH DIVERTING FROM FATHER'S DITCH IN SESWSW OF SEC 13, T18N, R20W, LAKE COUNTY.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 456.17 ACRE-FEET PER YEAR.