

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 46325-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** MALINAK, JOHN D TRUST  
1125 LITTLE BITTERROOT RD  
HOT SPRINGS, MT 59845-9402  
MALINAK, NORA J TRUST  
1125 LITTLE BITTERROOT RD  
HOT SPRINGS, MT 59845-9402

**Priority Date:** MAY 1, 1963  
**Enforceable Priority Date:** MAY 1, 1963

**Type of Historical Right:** FILED

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

**Maximum Flow Rate:** 3.90 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:** 267.00

**Source Name:** LITTLE BITTERROOT RIVER  
**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	NESWSW	30	21N	22W	SANDERS

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

2		SENWNE	25	21N	23W	SANDERS
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**Period of Diversion:** APRIL 15 TO OCTOBER 15  
**Diversion Means:** PUMP

**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	55.00		W2NW	30	21N	22W	SANDERS
2	16.00		SESW	30	21N	22W	SANDERS
3	38.00		W2SW	30	21N	22W	SANDERS
4	31.00		N2NW	31	21N	22W	SANDERS
5	70.00		S2SE	24	21N	23W	SANDERS
6	57.00		E2NE	25	21N	23W	SANDERS
<b>Total:</b>	267.00						

**Geocodes/Valid:** 35-3097-24-4-01-01-0000 - Y      35-3097-25-1-01-01-0000 - Y  
35-3099-30-1-01-10-0000 - Y      35-3099-31-2-01-01-0000 - 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.

46320-00    46321-00    46323-00    46324-00    46325-00    46326-00

**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.

46309-00      46325-00

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

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 13524 RECEIVED 02/19/2004.

THE CLAIMED FLOW RATE MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THIS CLAIM INDICATES A FLOW RATE OF 3.7CFS.

THIS RIGHT HAS A POINT OF DIVERSION OR PLACE OF USE ON SPECIAL STATUS LANDS AND WAS NOT FILED BY THE TRIBES OR THE UNITED STATES ON BEHALF OF THE TRIBES.