

MED

FILE-WATER RIGHT NO. 04-W130713

DNRC WATER RIGHT OWNERSHIP UPDATE

GEO CODE					
CODE					

PART 1 - SALE DATE
 12-19-00
 Month/Day/Year

SEE IMPORTANT INFORMATION ON THE BACK OF THIS FORM

PART 2 - Grantor/Grantee - names must be entered exactly as they appear on the transfer of ownership.

Seller - Enter grantor's complete name and mailing address, including city, state and ZIP.

→ Kenneth Dale Brown, Personal Representative
 P. O. Box 1170
 Glasgow, MT 59230

Daytime Phone #

Buyer - Enter grantee's complete name and assessment notice mailing address, including city, state and ZIP.

→ Kenneth Dale Brown Susan McMillan
 1925 Edmrock Road 13210 51st Stive SE
 Billings, MT 59102 Everett, WA 98208
 Carol Mills
 5845 S. Albans Court
 Shoreview, MN 55126

Daytime Phone #

PART 3 - Description of Property (If description is too lengthy, please attach a separate page)

Legal Description: _____ Attachment

Add/Sub: _____ Block: 2 Lot: _____

County: Valley City/Town: _____ Section: 3 Township: _____ Range: _____

BOX BAR CODE 013328
 FILE BAR CODE 0230136

A. WATER RIGHT(S) TO UPDATE

List all water rights which need to have ownership updated. Attach a list if additional space is needed. Attachment

- ▶ (W, U, A, B, or O) Statement of Claim No. 400 W130713-00
- ▶ (C) Certificate of Water Right No. _____
- ▶ (P) Permit to Appropriate Water No. _____
- ▶ (E) Exempt Existing Right No. _____
- ▶ (D) Powder River Basin Decreed Right No. _____
- ▶ Other _____

B. SELLER (person relinquishing the water right):

If all seller's signatures are not available, attach a copy of the recorded instrument showing conveyance of the property from the seller to the buyer. If the seller listed is not the person identified as the water right owner in the DNRC records, attach copies of the recorded documents showing chain of title including the legal description.

- Yes No Did the buyer receive 100% of the seller's interest in the water rights shown above? If no, attach a map showing buyer's property.
- Yes No If the sale is on a contract for deed, does the seller want to remain listed as an owner of the water right?

Seller Signature: X Kenneth Dale Brown Date: 12-19-00

Seller Signature: _____ Date: _____

C. FOR QUESTIONS or CLARIFICATION, WHO SHOULD THE DNRC CONTACT?

Name _____ Address _____ Phone # _____

D. REMARKS

FOR DEPARTMENT USE ONLY		WATER RIGHT TRANSFER CERTIFICATE	
Fee Paid	<u>2.00</u>	Transferred To	<u>04-W130713</u>
Payor	<u>Personal</u>		
Revised			
Code	<u>04-W130713</u>		
For Complete Information See		DNRC	

RECEIVED
 JAN 10 2001
 Montana DNRC
 Helena, Montana

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
AND MONTANA WATER COURT**

IMPORTANT INFORMATION

- ▶ Montana law requires this form be filed by the seller within 60 days after recording a change in ownership of real property which has water rights on record with the DNRC.
- ▶ Do not file this form if your only use of water is from an irrigation district, municipal system, water users association, or other public water supply.
- ▶ When the DNRC updates the ownership we will send a confirmation to the buyer and seller. DNRC will use the names and addresses as shown on the reverse side of this form.
- ▶ Water rights in Montana, including all irrigation water rights, must have a valid DNRC water right number to be of record. However, existing rights for livestock and individual domestic as opposed to municipal uses based on an instream flow or groundwater source appropriated before July 1, 1973, do not need a DNRC water right number. If the water use does not have a DNRC water right number and does not fall within the above narrow exception, then you do not have a water right. Contact the DNRC for information on how to acquire a water right.

Described below is further explanation of exempt rights or water rights which are valid without a DNRC water right number. A DNRC water right number is not required for the following if the use began:

- ▶ prior to January 1, 1962: groundwater used for individual domestic use, as opposed to municipal use;
- ▶ prior to January 1, 1962: groundwater used for stock;
- ▶ between January 1, 1962 through June 30, 1973: groundwater used for stock or domestic purpose and a GW1, GW2, or GW3 form is properly filed in the courthouse; or
- ▶ prior to July 1, 1973: instream surface water used for stock or domestic purposes.

If a water right does not have a DNRC number, and does not fall within the above exceptions, then there is no water right.

IF YOU HAVE QUESTIONS CALL YOUR LOCAL REGIONAL OFFICE.

BILLINGS Phone: 406-657-2105

Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Stillwater, Sweet Grass, Treasure, and Yellowstone Counties

BOZEMAN Phone: 406-586-3136

Gallatin, Madison, and Park Counties

GLASGOW Phone: 406-228-2561

Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley, and Wibaux Counties

HAVRE Phone: 406-265-5516

Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties

HELENA Phone: 406-449-0944

Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis and Clark, Powell, and Silver Bow Counties

KALISPELL Phone: 406-752-2288

Flathead, Lake, Lincoln, and Sanders Counties

LEWISTOWN Phone: 406-538-7459

Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, and Wheatland Counties

MISSOULA Phone: 406-721-4284

Granite, Mineral, Missoula, and Ravalli Counties

The Montana Water Court is currently adjudicating all Statements of Claim. For the current status of the claim(s) specified on the ownership update or if you have questions for the Water Court, call 1-800-624-3270 (in state) or 406-586-4364.

FILING FEE	1 water right	\$25.00	2 water rights	\$30.00	3 water rights	\$35.00
	4 water rights	\$40.00	5 water rights	\$45.00	6 or more	\$50.00 (maximum)

▶ Send the form along with the fee to:
DNRC, PO BOX 201601, HELENA, MT 59620-1601
(MAKE CHECK PAYABLE TO DNRC)

7.

110φ-W130713

STATE OF MONTANA County of Valley ss 1105586
 Filed for record SEPTEMBER 30, 1997 at 4:35 P.M. and duly
 recorded in BOOK 141 of DEEDS Page 968 BOOK 141 PAGE 968
 Mary Lou Eide Clerk & Recorder Sally L. Brown Deputy
 FEE: \$5.00 Pd RET: Robert Hurly, Attorney at Law P.O. Box 1170 Glasgow, MT 59230

DEED OF DISTRIBUTION

THIS INDENTURE, Made the 19th day of December, 1996, by and BETWEEN the HELEN E. BROWN ESTATE, DALE BROWN, Personal Representative, of P. O. Box 448, Glasgow, Montana 59230, PARTY of the FIRST PART, and SUSAN McMILLAN, CAROL MILLS and KENNETH DALE BROWN, in equal shares, of P. O. Box 448, Glasgow, Montana 59230, PARTIES of the SECOND PART;

WITNESSETH, that the said PARTY of the FIRST PART, for and in consideration of the sum of ONE (and other valuable consideration) DOLLAR, lawful money of the United States of America to it in hand paid by said PARTY of the SECOND PART, the receipt whereof is hereby acknowledged; does by these presents grant, bargain, sell, convey, warrant and confirm unto the said PARTIES of the SECOND PART, and to their heirs and assigns forever, the hereinafter described real estate situated in the County of Valley, and State of Montana, to-wit:

*

TOWNSHIP 28 NORTH, RANGE 40 E.M.M.
 Section 20: Lots 1 and 3, also known as
 Section 20: Tract in WMSW
 TOGETHER WITH THE IMPROVEMENTS
 THEREON including 5 houses (from
 North to South) House Numbered
 1, 2, 3, 4, 5, and 6 - Well House
 Section 29: Lots 6 and 8, LESS 3 acres in
 Lot 6 (Ref. deeds Book 51, Page 587, Book 52, Page 115).
 Section 29: Tract in Lot 6 TOGETHER WITH
 THE IMPROVEMENTS THEREON
 including 1 rental house,
 one family home, garage and
 other outbuildings
 Section 30: Lot 1

TOWNSHIP 29 NORTH, RANGE 40 E.M.M.
 IMPROVEMENTS only located on Section
 19, including 1 Bin; 1 Shed and 3 Granaries

TOGETHER with all water rights appurtenant thereto.

An undivided one-fourth interest in and to all oil, gas, coal and any other minerals located in and under the following described lands situated in Valley County, Montana:

TOWNSHIP 33 NORTH, RANGE 43 E.M.M.
 Section 1: W/4

Notwithstanding any omissions or errors, any and all mineral rights or royalty rights owned by the Decedent shall be deemed included herein.

SUBJECT to reservations, exceptions, rights-of-way, easements, and restrictive covenants, if any, of record or existing on the premises.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises unto the said PARTIES of the SECOND PART, and to their heirs and assigns forever. And the said PARTY of the FIRST PART and its successors and assigns, does hereby covenant that it will forever WARRANT and DEFEND all right, title and interest in and to the said premises and the quiet and peaceable possession thereof, unto the said PARTIES of the SECOND PART, their heirs and assigns.

IN WITNESS WHEREOF, the said PARTY of the FIRST PART has hereunto set its hand and seal the day and year first hereinbefore written.

HELEN E. BROWN ESTATE
 By: [Signature]
 Personal Representatives

STATE OF MONTANA)
 : ss
 County of Valley)

On this 19th day of Dec., 1996, before me, the undersigned, a Notary Public for the State of Montana, personally appeared DALE BROWN, Personal Representatives of the HELEN E. BROWN ESTATE, known to me personally to be the person whose name IS subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



[Signature]
 Notary Public for the State of Montana
 Residing at Glasgow, Montana
 My Commission expires 1-3-98

☆FORM 608 CHECKLIST☆

CHECK YES OR NO FOR ALL QUESTIONS; IF A BLOCK DOES NOT APPLY ENTER "NA"

YES	NO	FORM REVIEW	REMARKS
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PART 2

<input checked="" type="checkbox"/>		Seller - name and address complete?	
<input checked="" type="checkbox"/>		Buyer - name and address complete?	

A. WATER RIGHTS(S) TO UPDATE

<input checked="" type="checkbox"/>		Water right numbers listed correctly?	
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B. SELLER

<input checked="" type="checkbox"/>		Buyer received 100% interest. If not, map of buyer's property is attached?	
<input type="checkbox"/>		Sale is on contract for deed and seller is to remain listed as owner?	
<input checked="" type="checkbox"/>		All seller signatures available. If not, copies of recorded deeds attached?	

C. CONTACT

<input type="checkbox"/>		Contact person identified?	
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DEPARTMENT REVIEW

<input checked="" type="checkbox"/>		Fee Correct?	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	DNRC owner of record same as seller?	<i>Chain of title from Helen E Brown Estate to Kenneth Dale Brown</i>
<input checked="" type="checkbox"/>		If not, deeds showing chain of ownership attached?	<i>Susan Mc Millan & Carol Mills</i>
<input type="checkbox"/>		Copies made for Water Court, if required?	<i>N/A</i>

CODING INSTRUCTIONS

ACTION	NEEDED	COMPLETE	REMARKS
Contract for deed remark	—		
Split right remark	—		
Ownership chart	—		
Transfer remark	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
"T" - Owner keyed	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Seller's address update	—		
Buyer's address update	—		
OTHER			

REVIEWER Jeri L. Peterson

DATE 6-14-01

WATER RIGHT NUMBER 400 -W-130713-00

PAGE 2

REMARKS CONTINUED:

** TRANSFER OF OWNERSHIP:
UPON A CHANGE IN OWNERSHIP OF ALL OR ANY PORTION OF THIS CLAIM, THE TRANSFEROR SHALL FILE WITH THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION A WATER RIGHT OWNERSHIP UPDATE, FORM 608, PURSUANT TO SECTION 85-2-424, MCA.

REMARKS: WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/01.



UPDATE TO FILE



STATEMENT OF CLAIM



*400 *



130713



00

Current File Location: **NEW STORAGE**

Box Bar Code _____

File Bar Code _____

Date/Initials _____

Series: **ADJ**

State of Montana
Department of Natural Resources and Conservation
(This invoice generated by DNRC)



BROWN-MILLS, CAROL M REVOCABLE TRUST
% CAROL M BROWN-MILLS, TRUSTEE
5845 SAINT ALBANS COURT
SAINT PAUL, MN 55126-4754

May 30, 2012
Ownership Update Number: 99051

WATER RIGHT OWNERSHIP UPDATE FEE STATEMENT

Amount Due: **\$ 50.00**

This Statement is being mailed to only the first listed buyer on behalf of any additional buyers.

The Department of Revenue has reported the filing of a deed on &F_DT_RECEIVED listing you as the property owner to which the water rights listed in the table are appurtenant. At closing, a Water Right Ownership Update fee must be sent to DNRC [§ 85-2-424 & § 85-2-426 Montana Code Annotated (MCA)]. The filing fee for updating ownership on water rights is \$50 for the first water right and \$10 for each additional water right with a maximum of \$300 per transaction.

Our records show the update processing fee for these water right(s) has not been paid. Please submit the processing fee for the following water rights:

400 130713-00

You must return the payment coupon below along with your payment in order for the payment to be properly credited. **Please respond within 30 days of receipt of this letter.** The Water Right Ownership Update will be processed upon receipt of the processing fee. If we do not hear from you within 30 days, no change of ownership to the water right record will be made.

If you have any questions or feel you received this Ownership Update Fee Letter in error, please contact:
DNRC GLASGOW WATER RESOURCES REGIONAL OFFICE 406-228-2561

YOU MUST RETURN THE COUPON BELOW WITH YOUR PAYMENT OR THE PAYMENT WILL NOT BE CREDITED AND THE OWNERSHIP UPDATE WILL NOT BE PROCESSED.

Water Right Ownership Update Payment Coupon

Make checks payable to MT DNRC
MAIL TO: DNRC / PO Box 201601 // Helena MT 59620-1601

Fee Letter Date: May 30, 2012

GLASGOW REGIONAL OFFICE

BROWN-MILLS, CAROL M REVOCABLE TRUST
% CAROL M BROWN-MILLS, TRUSTEE
5845 SAINT ALBANS COURT
SAINT PAUL, MN 55126-4754

Amount Due: **\$ 50.00**

Amount Enclosed: _____

Ownership Update Number: 99051

BAR CODE

Has your address changed?

ADJ



UPDATE TO FILE



STATEMENT OF CLAIM



*400 *



130713



00

Current File Location: **NEW STORAGE**

As of : 1/1/1999

Status: **IN**

Box Bar Code: **13338**

File Bar Code: **230136**

10/29/2015

RETURN MAIL CHECKLIST

SESWSE Sctn: 31 Twp: 25N Rng: 20W
Qtrs Location
County: LAKE

STATEMENT OF CLAIM
Water Right Type

400 130713-00
~~76LJ-123122-00~~
Lowest Water Right No.

Water Right(s):	Water Right Number:	Water Right Status:	Owner to Water Right:
	76LJ-123122-00	STOC ACTIVE	CURRENT OWNER
	400-130713-00	STOC ACTIVE	CURRENT OWNER
	40E-186534-00	STOC ACTIVE	CURRENT OWNER <i>Past Owner</i>

Customer Researching: **KENNETH D BROWN - (Cust No. 190703)**

Co Owner(s): KENNETH D BROWN - (Cust No. 190703)
CATHY BROWN - (Cust No. 321956)

Record Address: 1925 RIMROCK RD
BILLINGS, MT 59102

Research Findings: Address Changed New Ownership
 Address Unconfirmed Ownership Unconfirmed

New Address: Address Changed to: ~~400 130713-00~~ 3307 Poly DR
City: Billings State: MT Zip: 59102 - 1235

New Ownership: Name: _____
Address: _____
City: _____ State: _____ Zip: _____

Sources Used:

- Telephone: Party Contacted _____
- Regional Office Water Right Records _____
- County Records of present owners (e.g., Appraiser, Clerk & Recorder, Treasurer, etc) _____
- Montana GIS Cadastral Mapping Program _____
- Secretary of State for corporations _____
- Internet people search. Site: _____
- Other: _____

Additional Notes

Information Sent to Researched New Owner and/or new Address; Date Sent: 9/17/2015

- Letter _____
- Change of Address Form _____
- Notice of Availability _____
- Notice of Objections _____
- Individual Objection Notice _____
- Water Right Ownership Update (Form 608) _____
- Abstracts _____
- Other: Post Card Notice

Reviewed by: TODD NETTO Signature: TODD NETTO On: 08/20/2015 09:07am

Database Updated by: TODD NETTO Date: 8/20/2015

Geocode Validated: Yes

See file _____ for further information and documentation.

RETURN MAIL CHECKLIST

SESWSE Sctn: 31 Twp: 25N Rng: 20W
Qtrs Location
County: LAKE

STATEMENT OF CLAIM
Water Right Type

76LJ-123122-00
Lowest Water Right No.

Water Right(s):	Water Right Number:	Water Right Status:	Owner to Water Right:
	76LJ-123122-00	STOC ACTIVE	CURRENT OWNER
	460-138713-00	STOC ACTIVE	CURRENT OWNER
	40E-186534-00	STOC ACTIVE	CURRENT OWNER

Customer Researching: **KENNETH D BROWN - (Cust No. 190703)**

Co Owner(s): KENNETH D BROWN - (Cust No. 190703)
CATHY BROWN - (Cust No. 321956)

Record Address: 1925 RIMROCK RD
BILLINGS, MT 59102

Research Findings: Address Changed New Ownership
 Address Unconfirmed Ownership Unconfirmed

New Address: Address Changed to: _____
City: _____ State: _____ Zip: _____

New Ownership: Name: Richard S and Suzanne A Kinzell Trust
Address: PO Box 625
City: Glasgow State: MT Zip: 59030 - 0625

Sources Used:

- Telephone. Party Contacted _____
- Regional Office Water Right Records
- County Records of present owners (e.g., Appraiser, Clerk & Recorder, Treasurer, etc)
- Montana GIS Cadastral Mapping Program
- Secretary of State for corporations
- Internet people search. Site: _____
- Other. _____

Additional Notes
No Notice sent because
They already got one.

Information Sent to Researched New Owner and/or new Address; Date Sent. 8/20/2015

- Letter
- Change of Address Form
- Notice of Availability
- Notice of Objections
- Individual Objection Notice
- Water Right Ownership Update (Form 608)
- Abstracts
- Other. _____

Reviewed by: TODD NETTO Signature: Todd Netto On: 08/20/2015 09:07am

Database Updated by: _____ Date: _____

Geocode Validated: Yes

See file _____ for further information and documentation.

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
GLASGOW WATER RESOURCES OFFICE

COPY
222 6TH STREET SOUTH
BOX 1269



STEVE BULLOCK
GOVERNOR

STATE OF MONTANA

(406) 228-2561
FAX (406) 228-8706

August 27, 2015

GLASGOW, MONTANA 59230-1269

RICHARD S & SUZETTE A KINZELL TRUSTEES
PO BOX 625
GLASGOW, MT 59230-0625

Re: Water Right No. 40E 186534-00

Do you claim any interest to the above water rights? Water right documents have been returned to us because the U.S. Postal Service could not deliver them. Further research on our part shows you may be the party who is the successor in interest to these water rights.

If you are the present owner of these water rights, please fill out the enclosed ownership update form. Return the completed form and the filing fee to DNRC Glasgow Water Resources Regional Office, PO Box 1269, Glasgow, MT 59230. The instructions are on the back of the form. Montana Statute 85-2-424, MCA, requires this ownership update be filed.

After the Department has received the ownership update form, your name will be added as an owner to these water rights. The enclosed notice and water right abstracts are for your immediate information concerning adjudication proceedings in your area. Please be aware of specific deadlines that are set in the notice.

If you are not the present owner, we would appreciate having that information for our records.

Please contact me at 406-228-2561 if you need further information or have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Todd Netto".

Todd Netto
Water Resource Specialist
Glasgow Water Resources Office

PW:tn

Enclosures: DNRC Water Right Ownership Update
Water Right Abstract

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
WATER RESOURCES DIVISION

STATE OF MONTANA

1424 9TH AVENUE
PO BOX 201601
HELENA, MT 59620-1601

Presort First Class
U.S. Postage
PAID
Helena, MT
Permit No. 89

RETURN SERVICE REQUESTED

ADE

CMR

BROWN, KENNETH D
1925 RIMROCK RD
BILLINGS, MT 59102

RECEIVED

AUG 13 2015

DNRC WATER RESOURCES
GLASGOW DIST. OFFICE

NIXIE 591 FE 1260 0008/06/15

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 59620160101 *0195-12331-06-22

PS 2015081601

