

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: 41S 102003-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: PATRICIA L SNAPP
204 SNAPP LOOP
LEWISTOWN, MT 59457-2235

MAUREEN R PICCO
PO BOX 653
LEWISTOWN, MT 59457-0653

SNAPP-HAAS LLC
303 LAKE PL
CHEYENNE, WY 82007

DIANE B SNAPP
1231 ORO COUNTRY RD
LEWISTOWN, MT 59457-2235

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

Priority Date: DECEMBER 5, 1890

Enforceable Priority Date: DECEMBER 5, 1890

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 12.15 CFS

Maximum Volume: 381.30 AC-FT

THE WATER COURT HAS DETERMINED THAT A VOLUME QUANTIFICATION IS REQUIRED TO ADEQUATELY ADMINISTER THIS RIGHT.

THE STIPULATION FILED ON MAY 19, 1988 IN CASE 41S-13 SPECIFIES THE FOLLOWING : "THE VOLUME SHALL NEVER EXCEED THE 381.3 ACRE FEET, HOWEVER, IF IT IS DETERMINED AT SOME POINT THAT LESS THAN 381.3 ACRE-Feet IS BENEFICIALLY UTILIZED BY THE OWNERS, THE AMOUNT BENEFICIALLY USED SHALL GOVERN".

Climatic Area: 3 - MODERATE

Maximum Acres: 149.00

Source Name: WARM SPRING 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		SWNENW	23	17N	17E	FERGUS

Period of Diversion: APRIL 15 TO SEPTEMBER 30

Diversion Means: PUMP/HEADGATE W/DITCH OR PIPELINE

Period of Use: APRIL 15 to SEPTEMBER 30

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	74.00		SW	15	17N	17E	FERGUS
2	45.00		W2SE	15	17N	17E	FERGUS
3	30.00		N2N2	22	17N	17E	FERGUS
Total:	149.00						

Geocodes/Valid: 08-2684-15-3-01-01-0000 - Y 08-2684-15-3-04-01-0000 - Y
08-2684-22-1-02-01-0000 - Y

Remarks:

THE PLACE OF USE AND VOLUME WERE AMENDED BY THE CLAIMANTS PURSUANT TO SECTION 85-2-233(6), MCA.

Remarks:

THE MAXIMUM ACRES AND PLACE OF USE HAVE BEEN RE-EXAMINED BY THE DNRC UNDER MONTANA WATER COURT ORDER DATED AUGUST 29, 1997. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/27/84.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/01/99.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/28/99.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/28/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 5027 RECEIVED 08/07/2002.

OWNERSHIP UPDATE TYPE 608 # 19960 RECEIVED 03/17/2005.

OWNERSHIP UPDATE TYPE DOR # 84883 RECEIVED 03/01/2011.

OWNERSHIP UPDATE TYPE DOR # 128424 RECEIVED 12/08/2014.

OWNERSHIP UPDATE TYPE DOR # 135557 RECEIVED 10/02/2015.

ON MAY 19, 2008 THE PARTIES FILED A STIPULATION IN CASE 41S-13 WHICH REQUESTS THAT THE PRIORITY DATE BE CHANGED TO JANUARY 5, 1890, THAT THE FLOW RATE BE INCREASED TO 18.75 CFS, AND THAT THE PERIOD OF USE BE INCREASED TO MAY 1 TO OCTOBER 1 AND AS LATE AS OCTOBER 15 IN THOSE YEARS THAT ON OCTOBER 1 THE FLOW RATE OF WARM SPRINGS CREEK IS BELOW 120 CFS. THIS IS DEEMED AND DOCKETED AS THE CLAIMANTS' LATE OBJECTION AND WILL BE HEARD AFTER PROPER NOTICE ON THE NEXT OBJECTION LIST.