

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: 411 103009-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: RUNKLE CHILDEN'S IRREVOCABLE TRUST
% INDUSTRY CONSULTING GROUP INC
PO BOX 810490
DALLAS, TX 75381-0490

MARK L RUNKLE
PO BOX 1185
HELENA, MT 59624-1185

Priority Date: DECEMBER 15, 1913
Enforceable Priority Date: DECEMBER 15, 1913

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 442.00 GPM
PRIMARILY A DIRECT FLOW IRRIGATION SYSTEM; FLOW RATE RETAINED.

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
PRIMARILY A DIRECT FLOW IRRIGATION SYSTEM; VOLUME NOT DECREED.

Climatic Area: 3 - MODERATE

Maximum Acres: 26.00

Source Name: UNNAMED TRIBUTARY OF PRICKLY PEAR CREEK
Source Type: SURFACE WATER

THIS RIGHT ALSO INCLUDES GROUNDWATER FROM THE SPRING IN THE SWSWNW SEC 35 TWP 10N RGE 03W LEWIS AND CLARK COUNTY.

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		SWSWSW	26	10N	3W	LEWIS AND CLARK

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: DAM

Reservoir: ON STREAM **Reservoir Name** JOHNSONS POND
Govt Lot **Qtr Sec** **Sec** **Twp** **Rge** **County**
SWSWSW 26 10N 3W LEWIS AND CLARK

Diversion to Reservoir: DIVERSION # 1
Current Capacity: 9.00 ACRE-FEET

Period of Use: JANUARY 1 to DECEMBER 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	20.50		SWSW	26	10N	3W	LEWIS AND CLARK
2	5.50		E2SESE	27	10N	3W	LEWIS AND CLARK
Total:	26.00						

Geocodes/Valid: 05-1888-26-3-01-01-0000 - Y 05-1888-27-4-01-01-1000 - Y

Remarks:

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 43090 RECEIVED 09/18/2006.
OWNERSHIP UPDATE TYPE DOR # 103478 RECEIVED 02/08/2012.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

Remarks:

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 15 TO OCTOBER 15.

THE LEWIS AND CLARK COUNTY WATER RESOURCES SURVEY (1957) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON PRICKLY PEAR CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 20645, LEWIS AND CLARK COUNTY.