

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 89118-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MONTANA ENVIRONMENTAL CUSTODIAL TRUST
MONTANA ENVIRONMENTAL TRUST GROUP LLC TRUSTEE
PO BOX 1390
HELENA, MT 59624-1390

Priority Date: MAY 1, 1868

Enforceable Priority Date: MAY 1, 1868

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 2.50 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: 200.00

Source Name: PRICKLY PEAR 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		SE	25	10N	3W	LEWIS AND CLARK

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: HEADGATE

Ditch Name: WILDCAT DITCH

2		NE	25	10N	3W	LEWIS AND CLARK
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Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: HEADGATE

Ditch Name: STOCKBURGER DITCH

DITCH NAME FOR DIVERSION NO. 2 IS: STOCKBURGER DITCH

DITCH NAME FOR DIVERSION NO. 01 IS: WILDCAT DITCH

Period of Use: APRIL 1 to NOVEMBER 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	38.00		SE	24	10N	3W	LEWIS AND CLARK
2	150.00		NE	25	10N	3W	LEWIS AND CLARK
3	12.00		NW	25	10N	3W	LEWIS AND CLARK
Total:	200.00						

Geocodes/Valid: 05-1888-24-4-01-01-0000 - Y 05-1888-25-1-01-01-0000 - Y
05-1888-25-4-40-01-0000 - 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.

89109-00 89110-00 89117-00 89118-00

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.

89116-00 89118-00

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

ADDRESS ALL QUESTIONS AND INQUIRIES TO HOLLAND AND HART, ATTORNEYS, SUITE 1400, 175 N 27TH ST, BILLINGS MT 59101.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/18/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/22/94.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 85048 RECEIVED 12/10/2009.

THE LEWIS AND CLARK COUNTY WATER RESOURCES SURVEY FIELD NOTES (1956) APPEAR TO INDICATE 26.00 ACRES WERE IRRIGABLE. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE LEWIS AND CLARK COUNTY WATER RESOURCES SURVEY (1957) APPEARS TO INDICATE 89.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.