

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 89649-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: ZINN FAMILY TRUST
ZINN RAYMOND D & DELONA F
228 CAMINO AL LAGO
ATHERTON, CA 94027-5453

Priority Date: AUGUST 31, 1952

Enforceable Priority Date: AUGUST 31, 1952

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVIOR.

Maximum Volume: 144.62 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 36.40

Source Name: WALKER 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		NWNESW	5	9N	5W	LEWIS AND CLARK

Period of Diversion: MAY 15 TO JUNE 30

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNESW	5	9N	5W	LEWIS AND CLARK

Diversion to Reservoir: DIVERSION # 1

Surface Area: 3.00 ACRES

Current Capacity: 10.80 ACRE-FEET

THE DAM EXTENDS INTO THE SENESW SEC 05 TWP 09N RGE 05W LEWIS AND CLARK COUNTY.

THE CAPACITY AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.

Period of Use: MAY 15 to JUNE 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	0.40		SWNENE	5	9N	5W	LEWIS AND CLARK
2	4.40		SEWNNE	5	9N	5W	LEWIS AND CLARK
3	7.20		SWNWNE	5	9N	5W	LEWIS AND CLARK
4	3.20		NWSWNE	5	9N	5W	LEWIS AND CLARK
5	1.80		SENENW	5	9N	5W	LEWIS AND CLARK
6	9.70		NESENW	5	9N	5W	LEWIS AND CLARK
7	3.80		NWSENW	5	9N	5W	LEWIS AND CLARK
8	2.70		SESENW	5	9N	5W	LEWIS AND CLARK
9	3.20		SWSENW	5	9N	5W	LEWIS AND CLARK
Total:	36.40						

Geocodes/Valid: 05-1781-05-1-01-01-0000 - Y 05-1781-05-1-01-02-0000 - Y
05-1781-05-1-01-10-0000 - Y

Remarks:

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.

89647-00 89648-00 89649-00 89650-00

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.

89649-00 89653-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 2/2/2006. OUID# 30679 ZINN TO KECHELY (SPLIT). KECHELY RECEIVES 9.9 ACRES IN THE NW OF SEC 5 TWP 9N RGE 5W AND 39.4 ACRE-FEET OF THE ONSTREAM RESERVOIR. ZINN RETAINS 26.5 ACRES IN THE N2 OF SEC 5 TWP 9N RGE 5W AND 105.58 ACRE-FEET OF THE ONSTREAM RESERVOIR.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/28/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/29/95.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 11239 RECEIVED 10/30/2003.

OWNERSHIP UPDATE TYPE 608 # 30679 RECEIVED 02/02/2006.

OWNERSHIP UPDATE TYPE 608 # 54856 RECEIVED 02/05/2008.

OWNERSHIP UPDATE TYPE DOR # 137448 RECEIVED 12/03/2015.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 13.3 TIMES THE CAPACITY OF THE RESERVOIR.