

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 101077-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: PATRICK J VOLESKY
5544 ELDORADO CT
HELENA, MT 59602-6705

Priority Date: JULY 25, 1961
Enforceable Priority Date: JULY 25, 1961

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: NATURAL SUBIRRIGATION

Maximum Flow Rate:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVIOR.

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: 1.40

Source Name: MANMADE PIT, UNNAMED TRIBUTARY OF TENMILE CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS HARRER SUMP

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		SWNWSW	14	10N	4W	LEWIS AND CLARK

Period of Diversion: MARCH 15 TO OCTOBER 31
Diversion Means: PIT
Subdivision: COUNTRY CLUB PARK

Reservoir: ON STREAM **Reservoir Name** HARRER SUMP
Govt Lot **Qtr Sec** **Sec** **Twp** **Rge** **County**
SWNWSW 14 10N 4W LEWIS AND CLARK

Diversion to Reservoir: DIVERSION # 1

Period of Use: MARCH 15 to OCTOBER 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	1.40		SWNWSW	14	10N	4W	LEWIS AND CLARK
Subdivision:		COUNTRY CLUB PARK					

Total: 1.40

THE PLACE OF USE INCLUDES LOTS 24, 25, 28 AND 29 OF COUNTRY CLUB PARK.

Geocodes/Valid: 05-1887-14-3-01-21-0000 - Y 05-1887-14-3-01-25-0000 - 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.

101076-00 101077-00 101078-00

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.

101075-00 101077-00

Remarks:

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/02/2002. DUE TO A RESURVEY OF THE LOTS, THIS WATER RIGHT PLACE OF USE IS NOW DESIGNATED AS TRACT 24A AND 25.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/29/86.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 4116 RECEIVED 08/02/2002.

OWNERSHIP UPDATE TYPE DOR # 79751 RECEIVED 07/17/2009.

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.