

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 127790-00 STATEMENT OF CLAIM
Version: 2 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: PATRICK J NOVAK
PO BOX 4935
HELENA, MT 59604-4935

LEANNE NOVAK
PO BOX 4935
HELENA, MT 59604-4935

SCHENDEL, PETER & MARILYN TRUST
4062 HELBERG DR
HELENA, MT 59602-5609

SCHMELTZER RENTALS LLC
1920 SIERRA RD E
HELENA, MT 59602-8834

CENTENNIAL LIVESTOCK INC
900 MANSFIELD LN
DILLON, MT 59725-9710

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

Priority Date: APRIL 8, 1866
Enforceable Priority Date: APRIL 8, 1866

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 4.60 CFS

Historical Flow Rate: 4.60 CFS

Maximum Volume: 915.50 AC-FT

WATER RIGHTS 411 127791-00 AND 411 127792-00 PROVIDE MITIGATION WATER FOR PERMIT 411 30046072. SINCE THIS WATER RIGHT IS COMPLETELY SUPPLEMENTAL TO THE ABOVE LISTED WATER RIGHTS, 2.77 ACRES AND 7.5 AF OF DIVERTED VOLUME WERE REMOVED FROM THIS WATER RIGHT.

Climatic Area: 3 - MODERATE

Historical Diverted Volume: 923.00 AC-FT

Historical Consumptive Volume: 303.50 AC-FT

Maximum Acres: 339.23

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</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	ENW	25	10N	3W LEWIS AND CLARK

Period of Diversion: MARCH 15 TO DECEMBER 1

Diversion Means: HEADGATE

Ditch Name: PRICKLY PEAR DITCH

COMPANY SLOUGH DITCH IS USED TO CONVEY WATER FROM THE PRICKLY PEAR DITCH TO THE PLACE OF USE.

Period of Use: MARCH 15 to DECEMBER 1

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	40.00	4	NWNW	2	10N	3W	LEWIS AND CLARK
2	22.00		SWNW	2	10N	3W	LEWIS AND CLARK
3	157.23		SW	2	10N	3W	LEWIS AND CLARK
4	40.00		NESE	3	10N	3W	LEWIS AND CLARK
5	80.00		N2NW	11	10N	3W	LEWIS AND CLARK
Total:	339.23						

Geocodes/Valid: -- NO VALID GEOCODES --

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.

127790-00 127791-00 127792-00 127793-00 127794-00

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

OWNERSHIP UPDATE RECEIVED

- OWNERSHIP UPDATE TYPE 608 # 1069 RECEIVED 02/06/2002.
- OWNERSHIP UPDATE TYPE 608 # 2433 RECEIVED 04/10/2002.
- OWNERSHIP UPDATE TYPE 608 # 27376 RECEIVED 12/01/2005.
- OWNERSHIP UPDATE TYPE 608 # 44925 RECEIVED 03/07/2007.
- OWNERSHIP UPDATE TYPE 608 # 45596 RECEIVED 04/18/2007.
- OWNERSHIP UPDATE TYPE 608 # 61113 RECEIVED 06/27/2008.
- OWNERSHIP UPDATE TYPE DOR # 91260 RECEIVED 06/28/2011.