

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: 41A 88874-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: UNION PACIFIC RAILROAD CO
MINERAL AND WATER RIGHTS
1400 DOUGLAS ST, STOP 1690
OMAHA, NE 68179-1690

Priority Date: MAY 31, 1880

Enforceable Priority Date: MAY 31, 1880

Type of Historical Right: USE

Purpose (use): MUNICIPAL

Purpose Clarification: TOWN OF LIMA

Maximum Flow Rate: 314.16 GPM

Maximum Volume: 507.12 AC-FT

Source Name: SPRING, UNNAMED TRIBUTARY OF ALDER CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS LIMA SPRINGS

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		NW	16	14S	8W	BEAVERHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: OTHER

THE MEANS OF DIVERSION IS A 8 FT BY 8 FT INTAKE WELL AT THE SPRING.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	4	14S	8W	BEAVERHEAD
2			E2SE	5	14S	8W	BEAVERHEAD
3			E2NE	8	14S	8W	BEAVERHEAD
4			NW	9	14S	8W	BEAVERHEAD

THE PLACE OF USE IS THE TOWN OF LIMA.

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.

88874-00 95176-00

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

THE CLAIMS FOLLOWING THIS REMARK CLAIM DIFFERENT MEANS OF DIVERSION FOR WHAT APPEARS TO BE A SINGLE POINT OF DIVERSION IN THE NWSEW SEC 16 TWP 14S RGE 8W BEAVERHEAD COUNTY 41A 88874-00, 41A 95176-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 41A 88874-00, 41A 95176-00.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

ACCORDING TO SECRETARY OF STATE BUSINESS ENTITY RECORDS, AS OF 11/09/2011, OREGON SHORT LINE RAILROAD COMPANY IS INACTIVE. SEE CLAIM FILE FOR OWNER INFORMATION.

THE PRIORITY DATE MAY BE QUESTIONABLE. IT IS UNCLEAR WHETHER THE CLAIMED PRIORITY DATE IS MAY 31, 1880 OR DECEMBER 27, 1887.

Remarks:

DNRC EXAMINATION WAS UNABLE TO CONFIRM THE USE OF THIS WATER RIGHT. IT APPEARS THIS WATER RIGHT MAY HAVE NOT BEEN PERFECTED.

THE CLAIMED VOLUME CANNOT BE CONFIRMED DUE TO LACK OF DATA.