

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 191118-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: WINDJAMMER LLC
C/O JAMES W O'NEILL
PO BOX 476
ANACONDA, MT 59711-0476

Priority Date: SEPTEMBER 16, 1910
Enforceable Priority Date: SEPTEMBER 16, 1910

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 3.00 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 108.00

Source Name: CRYSTAL 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		SWNWSW	29	14S	11W	BEAVERHEAD

Period of Diversion: APRIL 15 TO NOVEMBER 10

Diversion Means: HEADGATE

Period of Use: APRIL 15 to NOVEMBER 10

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	89.00		S2N2	29	14S	11W	BEAVERHEAD
2	52.00		N2SW	29	14S	11W	BEAVERHEAD
Total:	141.00						

Geocodes/Valid: 18-0026-29-2-01-01-0000 - 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.

191118-00 191119-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/25/1992.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/14/1998.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 83705 RECEIVED 02/22/2010.

OWNERSHIP UPDATE TYPE DOR # 99964 RECEIVED 05/23/2012.

OWNERSHIP UPDATE TYPE DOR # 134812 RECEIVED 09/17/2015.

OWNERSHIP UPDATE TYPE DOR # 137091 RECEIVED 11/17/2015.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 141.
THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

Remarks:

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 25 TO OCTOBER 05.

USDA AERIAL PHOTOGRAPH NO(S). 879-103 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-1P-148 , DATED 06/23/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.