

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 191119-00 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: MAY 17, 1905
Enforceable Priority Date: MAY 17, 1905

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 7.00 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: 243.00

Source Name: SIMPSON 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	30	14S	11W	BEAVERHEAD

Period of Diversion: MAY 1 TO DECEMBER 1

Diversion Means: HEADGATE

2		NE	25	14S	12W	BEAVERHEAD
---	--	----	----	-----	-----	------------

Period of Diversion: MAY 1 TO DECEMBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 to DECEMBER 1

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	45.00		W2	29	14S	11W	BEAVERHEAD
2	135.00		NW	29	14S	11W	BEAVERHEAD
3	15.00		N2NW	29	14S	11W	BEAVERHEAD
4	48.00		N2SW	29	14S	11W	BEAVERHEAD

Total: 243.00

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.

Remarks:

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

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 46.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-1P-149 , DATED 06/23/1955 , APPEARS TO INDICATE 42.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.