

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 196512-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: SANTANA RANCH LLC
700 W SANTA INEZ AVE
HILLSBOROUGH, CA 94010-7009

Priority Date: JUNE 1, 1894

Enforceable Priority Date: JUNE 1, 1894

Type of Historical Right: FILED

Purpose (use): POWER GENERATION, NONCONSUMPTIVE

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 12,866.00 AC-FT
THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

Source Name: UNNAMED TRIBUTARY OF RED ROCK RIVER

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM MCGOWAN SPRING.

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		NWSWSE	27	13S	7W	BEAVERHEAD

Period of Diversion:

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSWSE	27	13S	7W	BEAVERHEAD

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 1.00 ACRES

Current Capacity: 5.00 ACRE-FEET

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 to DECEMBER 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			W2SE	27	13S	7W	BEAVERHEAD
2			E2SW	27	13S	7W	BEAVERHEAD

Geocodes/Valid: 18-0047-27-2-01-01-0000 - Y

Remarks:

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.

196508-00 196510-00 196512-00 196514-00 196516-00 196524-00 196525-00
196536-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41A 94511-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/30/1990.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/07/1989.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/07/1994.

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 102345 RECEIVED 05/14/2012.

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.

ACCORDING TO INFORMATION IN THE CLAIM FILE, THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED FOR POWER GENERATION USE. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE.

THE MAXIMUM STORAGE CAPACITY OF THIS RESERVOIR MAY BE QUESTIONABLE. ACCORDING TO DNRC ESTIMATES, THE MAXIMUM STORAGE CAPACITY IS 5 ACRE-FEET.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. AVAILABLE DATA SUGGEST THE ACTUAL VOLUME IS 5 ACRE-FEET PER YEAR.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 6809 ACRE-FEET PER YEAR.