

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 214244-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: LAURA E MONSON
2630 YORK RD
HELENA, MT 59602-8821
SOUTHRIDGE PROPERTIES LLC
PO BOX 4411
HELENA, MT 59604-4411
OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: OCTOBER 4, 1918
Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 04/21/92 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

CAUSE NO. 15537, LEWIS AND CLARK CO., PROVIDES TESTIMONY THAT INDIVIDUALS WITH DECREED RIGHTS FROM CASE NO. 4643, LEWIS AND CLARK CO., HAVE HISTORICALLY USED THE HIGH, FLOOD AND SURPLUS WATERS OF PRICKLY PEAR CREEK IN ADDITION TO THEIR DECREED RIGHTS.

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 4.90 CFS

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

Climatic Area: 3 - MODERATE

Maximum Acres: 132.00

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	25	10N	3W	LEWIS AND CLARK

Period of Diversion: MARCH 1 TO NOVEMBER 30

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.

DITCH NAME: PRICKLY PEAR DITCH

Period of Use: MARCH 1 to NOVEMBER 30

THIS RIGHT IS LIMITED TO HIGH OR FLOOD WATERS OF PRICKLY PEAR CREEK.

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	35.00		NE	10	10N	3W	LEWIS AND CLARK
2	14.00		NW	10	10N	3W	LEWIS AND CLARK
3	25.00		SE	10	10N	3W	LEWIS AND CLARK
4	6.00		SW	10	10N	3W	LEWIS AND CLARK
5	40.00		NW	11	10N	3W	LEWIS AND CLARK
6	12.00		SW	11	10N	3W	LEWIS AND CLARK
Total:	132.00						

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.

143109-00 143110-00 143111-00 214244-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/12/1999. MONSON TO ELLEN MCKINLEY - SPLIT - MCKINLEY RECEIVES TRACT 2 (10 ACRES IN THE W2SW, SEC 11)

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/24/2002. MCKINLEY TO MCNEIL - TRACT 2

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/2003. MC NEIL TO MONSON - 100% OF WATER RIGHTS ONLY - THESE RIGHTS ARE NO LONGER APPURTENANT TO MC NEIL'S PROPERTY (TRACT 2).

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 2438 RECEIVED 04/24/2002.

OWNERSHIP UPDATE TYPE 608 # 9950 RECEIVED 08/08/2003.

OWNERSHIP UPDATE TYPE 608 # 14831 RECEIVED 04/20/2004.

CLAIM FILED LATE 04/21/92 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 15 TO OCTOBER 15.