

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 216336-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Late Claim: B

Owners:

SUSAN B AMES
4635 GREEN MEADOW DR
HELENA, MT 59602

SHARON L RUSSELL
4245 GREEN MEADOW DR
HELENA, MT 59602

GARY D RUSSELL
4245 GREEN MEADOW DR
HELENA, MT 59602-7416

LAURENCE SIROKY
4595 GREEN MEADOW DR
HELENA, MT 59602-7120

MARILYN SIROKY
4595 GREEN MEADOW DR
HELENA, MT 59602-7120

GREGORY H AMES
4635 GREEN MEADOW DR
HELENA, MT 59602

RICHARD LEITGEB
4375 GREEN MEADOW DR
HELENA, MT 59602-7116

PETER J MCHUGH III
4310 MCHUGH DR
HELENA, MT 59602-7204

MICHAEL JAMES MCHUGH
4310 MCHUGH DR
HELENA, MT 59602-7204

PATRICK J MCHUGH
4310 MCHUGH DR
HELENA, MT 59602-7204

GABRIEL RUSSELL
4245 GREEN MEADOW DR
HELENA, MT 59602-7416

JENNIFER RUSSELL
4245 GREEN MEADOW DR
HELENA, MT 59602-7416

ANGELIQUE A TETRAULT
4239 GREEN MEADOW DR
HELENA, MT 59602-7416

BRIAN M TETRAULT
4239 GREEN MEADOW DR
HELENA, MT 59602-7416

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS AFTER FINAL DECREE UPON REQUEST OF THE OWNERS.

Priority Date: MAY 1, 1866

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 05/06/82 . 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.

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD
Maximum Flow Rate: 2.00 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: 150.00
Source Name: TENMILE 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		SENWNW	13	10N	4W	LEWIS AND CLARK

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE

Period of Use: APRIL 1 to OCTOBER 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	70.00		W2	7	10N	3W	LEWIS AND CLARK
2	80.00		E2	12	10N	4W	LEWIS AND CLARK
Total:	150.00						

Geocodes/Valid: 05-1887-12-1-02-01-0000 - Y 05-1887-12-1-02-03-0000 - Y
 05-1887-12-4-02-01-0000 - Y 05-1887-12-4-02-02-0000 - Y
 05-1887-12-4-02-03-0000 - Y 05-1887-12-4-02-04-0000 - Y
 05-1887-12-4-02-05-0000 - Y 05-1887-12-4-02-06-0000 - Y
 05-1887-12-4-02-07-0000 - Y 05-1888-07-2-01-15-0000 - Y
 05-1888-07-3-03-01-0000 - Y

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

78285-00 216336-00

THIS WATER RIGHT IS ASSOCIATED TO WATER RIGHT NO. P078285-00. THEY HAVE OVERLAPPING PLACES OF USE.

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. B092249-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/27/2008. OWNERSHIP UPDATE ID# 61004. PETER J MCHUGH JR (DECD) TO PETER J MCHUGH III, MICHAEL JAMES MCHUGH, AND PATRICK J MCHUGH. PETER J MCHUGH III AND MICHAEL JAMES MCHUGH RECEIVED TRACTS A-1, 5 AND 6 ON CERTIFICATE OF SURVEY 3143031 - 100% INTEREST. PATRICK J MCHUGH RECEIVED TRACT 1 ON CERTIFICATE OF SURVEY 3143031 - 100% INTEREST.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 61004 RECEIVED 06/27/2008.

OWNERSHIP UPDATE TYPE DOR # 141925 RECEIVED 01/28/2009.

OWNERSHIP UPDATE TYPE DOR # 141926 RECEIVED 07/14/2009.

CLAIM WAS NOT INCLUDED IN THE BASIN TEMPORARY PRELIMINARY DECREE ISSUED 03/08/95.
 CLAIM FILED LATE 05/06/82 . 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.