

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 117638-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
DAVID J BROWN
4510 HARMONY RD
HELENA, MT 59602-8849

MARGARET A BROWN
4510 HARMONY RD
HELENA, MT 59602-8849

Priority Date: APRIL 18, 1885
Enforceable Priority Date: APRIL 18, 1885

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 2.87 CFS
THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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: 75.75

Source Name: SPRING CREEK
Source Type: SURFACE WATER

ALSO KNOWN AS SMITH FORK OF PRICKLY PEAR CREEK

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		SWNESW	30	11N	2W	LEWIS AND CLARK

Period of Diversion: MARCH 15 TO NOVEMBER 19
Diversion Means: HEADGATE

2		E2W2	30	11N	2W	LEWIS AND CLARK
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Period of Diversion: MARCH 15 TO NOVEMBER 19
Diversion Means: DIVERSION DAM

POINT OF DIVERSION NO. 02 IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

Period of Use: MARCH 15 to NOVEMBER 19

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	32.50		W2E2	30	11N	2W	LEWIS AND CLARK
2	43.25		E2W2	30	11N	2W	LEWIS AND CLARK
Total:	75.75						

Geocodes/Valid: 05-1996-30-2-02-01-0000 - Y 05-1996-30-4-01-05-0000 - 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.

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/08/90: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, TYPE OF IRRIGATION.

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

Remarks:

ONE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/05/96.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 16425 RECEIVED 09/08/2004.

OWNERSHIP UPDATE TYPE 608 # 17381 RECEIVED 10/01/2004.