

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 95176-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: LIMA, TOWN OF
PO BOX 184
LIMA, MT 59739-0184

UNION PACIFIC RAILROAD CO
MINERAL AND WATER RIGHTS
1400 DOUGLAS ST, STOP 1690
OMAHA, NE 68179-1690

Priority Date: DECEMBER 27, 1887
Enforceable Priority Date: DECEMBER 27, 1887

Type of Historical Right: USE

Purpose (use): MUNICIPAL
Purpose Clarification: TOWN OF LIMA

Maximum Flow Rate: 4.46 CFS
Maximum Volume: 3,620.00 AC-FT

Source Name: SPRING, UNNAMED TRIBUTARY OF ALDER CREEK
Source Type: GROUNDWATER
ALSO KNOWN AS LIMA 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		NWSE	16	14S	8W	BEAVERHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: OTHER
THE MEANS OF DIVERSION IS A PIPELINE AND CONCRETE RESERVOIR.

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				4	14S	8W	BEAVERHEAD
2				5	14S	8W	BEAVERHEAD
3				8	14S	8W	BEAVERHEAD
4				9	14S	8W	BEAVERHEAD

THE PLACE OF USE IS THE TOWN OF LIMA.

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.

88874-00 95176-00

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

THE CLAIMS FOLLOWING THIS REMARK CLAIM DIFFERENT MEANS OF DIVERSION FOR WHAT APPEARS TO BE A SINGLE POINT OF DIVERSION IN THE NWSE SEC 16 TWP 14S RGE 8W BEAVERHEAD COUNTY 41A 88874-00, 41A 95176-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 41A 88874-00, 41A 95176-00.

THE CLAIMED FLOW RATE APPEARS TO EXCEED THE CAPACITY OF THE GRAVITY FLOW DELIVERY SYSTEM. THE ACTUAL FLOW RATE APPEARS TO BE 673.25 GPM.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

Remarks:

THE PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME IS 5833.5 GALLONS PER CAPITA PER DAY (GPCD) BASED ON THE 1940 CENSUS POPULATION OF 554 PEOPLE.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 3237.52 ACRE-FEET PER YEAR.