

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 30052581 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: HELENA, CITY OF
CITY ATTORNEYS OFFICE
316 N PARK AVE
HELENA, MT 59623-0001

OUR REDEEMER'S LUTHERAN CHURCH
1400 STUART ST
HELENA, MT 59601-2330

SCENIC DEVELOPERS INC
% JOHN D MARKS, PRESIDENT
244 WILLOWBROOK DR
HELENA, MT 59602-7764

Priority Date: DECEMBER 31, 1867
Enforceable Priority Date: DECEMBER 31, 1867

Type of Historical Right: DECREED

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

Maximum Flow Rate: 140.25 GPM
CASE NO. 4989, LEWIS AND CLARK COUNTY, DECREES THE ENTIRE FLOW OF CRYSTAL SPRINGS EXCEPT THE FIRST RIGHT OF 25 MINERS INCHES.
THIS CLAIMS FLOW RATE REPRESENTS A 1/4 INTEREST IN THE ORIGINAL DECREED RIGHT.
AN AVERAGE OF POST - JULY 1, 1973 CRYSTAL SPRINGS MEASUREMENT QUANTIFY THIS DECREED RIGHT AS 1.25 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: 26.00

Source Name: SPRING, CRYSTAL SPRINGS
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 | | NWNESE | 13 | 10N | 4W | LEWIS AND CLARK |

Period of Diversion: APRIL 15 TO OCTOBER 19
Diversion Means: HEADGATE

Period of Use: APRIL 15 to OCTOBER 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 | 21.00 | 6 | E2NE | 13 | 10N | 4W | LEWIS AND CLARK |
| 2 | 5.00 | 1 | N2NESE | 13 | 10N | 4W | LEWIS AND CLARK |
| Total: | 26.00 | | | | | | |

Geocodes/Valid: 05-1887-13-1-04-20-0000 - Y 05-1887-13-4-15-20-0000 - Y
05-1887-13-4-15-90-0000 - 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.

127511-00 127512-00 30052581 30052582

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.

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

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 411 TEMPORARY PRELIMINARY DECREE ISSUED 03/08/1995.

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 411 127508-00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 95651 RECEIVED 01/27/2012.