

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

A version with a more recent operating authority date exists. Contact DNRC for details.

Water Right Number: 76G 32342-00 STATEMENT OF CLAIM
Version: 3 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: ARCO ENVIRONMENTAL REMEDIATION LLC
317 ANACONDA RD
BUTTE, MT 59701-8805

UELAND RANCHES INC
PO BOX 127
RAMSAY, MT 59748-0127

Priority Date: APRIL 15, 1866
Enforceable Priority Date: APRIL 15, 1866

Purpose (use): IRRIGATION
Purpose Clarification: INCLUDES GOLF COURSE IRRIGATION

Irrigation Type: FLOOD
Maximum Flow Rate: 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: 5 - LOW

Maximum Acres: 2,955.59
Source Name: WARM SPRINGS 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		SESESE	31	5N	10W	DEER LODGE

Period of Diversion: APRIL 1 TO SEPTEMBER 30
Diversion Means: HEADGATE
Ditch Name: GARDNER DITCH

2		NESWNW	2	4N	11W	DEER LODGE
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Period of Diversion: APRIL 1 TO SEPTEMBER 30
Diversion Means: PIPELINE
DITCH NAME: GARDNER DITCH

Reservoir: OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	N2NE	2	4N	11W	DEER LODGE

Current Capacity: 53.70 ACRE-FEET

Reservoir: OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2NWNW	2	4N	11W	DEER LODGE

Current Capacity: 16.60 ACRE-FEET

Period of Use: APRIL 1 to SEPTEMBER 30

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	125.00		NW	1	5N	10W	DEER LODGE
2	320.00		W2	2	5N	10W	DEER LODGE
3	155.00		NE	2	5N	10W	DEER LODGE
4	80.00		W2SE	2	5N	10W	DEER LODGE

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>
5	20.00		W2NESE	2	5N	10W	DEER LODGE
6	20.00		W2SESE	2	5N	10W	DEER LODGE
7	315.00		N2	3	5N	10W	DEER LODGE
8	160.00		N2S2	3	5N	10W	DEER LODGE
9	40.00		SESE	3	5N	10W	DEER LODGE
10	10.00		SESWSE	3	5N	10W	DEER LODGE
11	20.00		E2SESE	4	5N	10W	DEER LODGE
12	20.00		E2NENE	9	5N	10W	DEER LODGE
13	40.00		SENE	9	5N	10W	DEER LODGE
14	80.00		E2SE	9	5N	10W	DEER LODGE
15	20.00		S2SESW	9	5N	10W	DEER LODGE
16	10.00		SESWSE	9	5N	10W	DEER LODGE
17	30.00		NWNE	10	5N	10W	DEER LODGE
18	80.00		S2NE	10	5N	10W	DEER LODGE
19	20.00		SENE	10	5N	10W	DEER LODGE
20	160.00		SE	10	5N	10W	DEER LODGE
21	80.00		E2SW	10	5N	10W	DEER LODGE
22	10.00		E2NWSW	10	5N	10W	DEER LODGE
23	20.00		E2SWSW	10	5N	10W	DEER LODGE
24	10.00		W2SWSW	10	5N	10W	DEER LODGE
25	320.00		W2	11	5N	10W	DEER LODGE
26	80.00		W2NE	11	5N	10W	DEER LODGE
27	40.00		NWSE	11	5N	10W	DEER LODGE
28	30.00		SWSE	11	5N	10W	DEER LODGE
29	240.00		N2	15	5N	10W	DEER LODGE
30	40.00		NWSW	15	5N	10W	DEER LODGE
31	160.00		NE	16	5N	10W	DEER LODGE
32	80.00		N2SE	16	5N	10W	DEER LODGE
33	20.00		SWSE	16	5N	10W	DEER LODGE
37	2.00		NWSE	17	5N	10W	DEER LODGE
38	0.02		SWSW	36	5N	11W	DEER LODGE
39	4.66		S2S2	35	5N	11W	DEER LODGE
40	3.02		W2NW	1	4N	11W	DEER LODGE
41	86.40		N2	2	4N	11W	DEER LODGE
42	4.49		NENE	3	4N	11W	DEER LODGE
Total:	2,955.59						

THE PLACE OF USE DESCRIPTION FOR PARCEL 36 (SECTION 17) APPEARS TO BE IN ERROR. THE DESCRIBED PORTION OF SECTION 17 IS CURRENTLY (AS OF 2-23-2003) OWNED BY VERNON LEONARDI AND PAUL CHIRICO, JR.

Geocodes/Valid: 30-1285-02-1-01-01-0000 - Y 30-1377-35-3-01-01-DLC1 - Y
 30-1377-36-3-01-01-0000 - Y 30-1378-17-1-01-01-1000 - Y
 30-1378-22-1-01-01-1000 - Y

Remarks:

A STIPULATION/SETTLEMENT AGREEMENT FILED WITH THE MONTANA WATER COURT ON FEBRUARY 1, 2000, LIMITS THE PLACE OF USE FOR THIS WATER RIGHT CLAIM. SEE THE CLAIM FILE OR WATER COURT JOINT PROCEEDING FOR WARM SPRINGS CREEK FILE FOR MORE INFORMATION.

THIS CLAIM IS SUBJECT TO THE TERMS OF A STIPULATION FILED WITH THE MONTANA WATER COURT DURING ADJUDICATION OF THE TEMPORARY PRELIMINARY DECREE FOR THIS BASIN. UNDER THE TERMS OF THIS STIPULATION, THIS CLAIM WILL BE ADMINISTERED AS SUBORDINATE, AND THEREFORE JUNIOR, TO CERTAIN DESIGNATED CLAIMS, AND IS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE WATER COURT'S FINDINGS OF FACT AND CONCLUSIONS OF LAW. SEE THE CLAIM FILE OR CASE FILE FOR THE JOINT PROCEEDING FOR WARM SPRINGS CREEK FOR MORE INFORMATION.

APPLICATION TO CHANGE RECEIVED 01/24/97, TERMINATED 02/02/98. SEE 76G-I(W)032342-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/09/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/31/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/13/97.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/27/97.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/18/97.

SPLIT CLAIM NO. 30005815 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

OWNERSHIP UPDATE RECEIVED

Remarks:

OWNERSHIP UPDATE TYPE DOR # 90044 RECEIVED 06/01/2010.