

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 46238-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MONTANA ENVIRONMENTAL CUSTODIAL TRUST
MONTANA ENVIRONMENTAL TRUST GROUP LLC TRUSTEE
PO BOX 1390
HELENA, MT 59624-1390

Priority Date: JUNE 15, 1867

Enforceable Priority Date: JUNE 15, 1867

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 3.35 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: 230.00

Source Name: PRICKLY PEAR 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		NENWSE	36	10N	3W	LEWIS AND CLARK

Period of Diversion: MARCH 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: WILSON DITCH

BROWN DITCH IS A SECONDARY POINT OF DIVERSION LOCATED IN THE NWNWSE SEC 26 TWP 10N RGE 03W IN LEWIS & CLARK COUNTY. THE BROWN DITCH, IN CONJUNCTION WITH THE WILSON DITCH CONVEYS WATER TO THE PLACE OF USE.

Period of Use: MARCH 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	40.00		SWNW	25	10N	3W	LEWIS AND CLARK
2	60.00		W2SW	25	10N	3W	LEWIS AND CLARK
3	70.00		S2NE	26	10N	3W	LEWIS AND CLARK
4	60.00		E2SE	26	10N	3W	LEWIS AND CLARK
Total:	230.00						

Geocodes/Valid: 05-1888-25-3-32-20-0000 - Y 05-1888-26-1-02-01-0000 - Y

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.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/02/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/22/94.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 85048 RECEIVED 12/10/2009.

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FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
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Remarks:

USDA AERIAL PHOTOGRAPH NO. 278-17, DATED 09/02/78, APPEARS TO INDICATE 173.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE LEWIS AND CLARK COUNTY WATER RESOURCES SURVEY (1957) APPEARS TO INDICATE 125.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE LEWIS AND CLARK COUNTY WATER RESOURCES MYLAR (1956) INDICATES 52.00 ACRES WERE IRRIGABLE. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.