

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 49533-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: ELKHORN REALTY LLC
1001 S 24TH ST W STE 311
BILLINGS, MT 59102-6467

GUERISON THERMIQUE LLC
PO BOX 4423
HELENA, MT 59604-4423

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: DECEMBER 31, 1890

Enforceable Priority Date: DECEMBER 31, 1890

Type of Historical Right: USE

Purpose (use): GEOTHERMAL HEATING

Maximum Flow Rate: 300.00 GPM

Maximum Volume: 483.00 AC-FT

Source Name: SPRING, UNNAMED TRIBUTARY OF WARM SPRINGS CREEK

Source Type: GROUNDWATER

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		NESWNE	16	8N	3W	JEFFERSON

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DEVELOPED SPRING

PUMP USED AS AN ADDITIONAL MEANS OF DIVERSION.

POINT OF DIVERSION IS LOCATED IN TRACT 3, CERTIFICATE OF SURVEY NO. 104879, JEFFERSON COUNTY.

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			NE	16	8N	3W	JEFFERSON

PLACE OF USE IS LOCATED IN TRACTS 1 AND 4, CERTIFICATE OF SURVEY NO. 104879, JEFFERSON COUNTY.

Geocodes/Valid: 51-1687-16-1-01-05-0000 - Y 51-1687-16-1-02-05-0000 - Y

Remarks:

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

THE USE OF THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT BETWEEN THE OWNERS OF THE WATER RIGHT AND THE OWNERS OF HILLBROOK NURSING HOME, INC. A COMPLETE COPY OF THE AGREEMENT IS AVAILABLE FROM THE OWNERS OF THE WATER RIGHT.

THE USE OF THIS WATER APPEARS TO BE LARGELY NON-CONSUMPTIVE.

FILE IS IN HOLDING TANK IN TRUDIE'S OFFICE 12/5/00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/12/94.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/01/01.

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL OF THE VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W049533-00, W089378-00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 77590 RECEIVED 08/06/2010.

OWNERSHIP UPDATE TYPE DOR # 121707 RECEIVED 05/17/2014.

Remarks:

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

VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 24.0 HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS FIGURE.

THE CLAIMED VOLUME CANNOT BE CONFIRMED DUE TO LACK OF DATA.