

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:** 41P 124682-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** VINTAGE ACRES LLC  
6593 VIRGELLE FERRY RD N  
LOMA, MT 59460-7749

**Priority Date:** AUGUST 12, 1909  
**Enforceable Priority Date:** AUGUST 12, 1909

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 170.00 GPM  
THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.  
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

**Maximum Volume:** 48.00 AC-FT  
**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 10.00

**Source Name:** LONE TREE COULEE  
**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	2	NWNWNW	19	26N	9E	CHOUTEAU

**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** PUMP

**Reservoir:** OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
SWSWSW		18	26N	9E	CHOUTEAU

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 13.00 FEET

**Depth:** 10.00 FEET

**Surface Area:** 0.20 ACRES

**Current Capacity:** 0.80 ACRE-FEET

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

**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	5.00	1	NENE	24	26N	8E	CHOUTEAU
2	5.00	2	NWNE	24	26N	8E	CHOUTEAU

**Total:** 10.00

**Geocodes/Valid:** 19-3743-24-1-01-01-0000 - 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.

124682-00 124685-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/04/98.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 117014 RECEIVED 10/22/2013.

**Remarks:**

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

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 1 TO OCTOBER 31.

USDA AERIAL PHOTOGRAPH NO(S). 278-163 , DATED 07/21/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE RESERVOIR MENTIONED IN THE FILED APPROPRIATION DOES NOT APPEAR TO HAVE THE CLAIMED CONVEYANCE DITCHES FROM THE SOURCE, AND BACK TO THE SOURCE, AS DESCRIBED IN THE FILING.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 100 TIMES THE CAPACITY OF THE RESERVOIR.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.