

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: 41M 199795-00 STATEMENT OF CLAIM
Version: 2 -- 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: PONDERA COUNTY CANAL & RESERVOIR CO
PO BOX 245
VALIER, MT 59486

Priority Date: APRIL 20, 1897
Enforceable Priority Date: APRIL 20, 1897

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

Maximum Flow Rate: 16.25 CFS
Maximum Volume: 7,443.00 AC-FT
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 3,400.31
Source Name: BIRCH 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		NENENE	1	29N	8W	PONDERA

Period of Diversion: APRIL 1 TO NOVEMBER 19
Diversion Means: HEADGATE W/DITCH OR PIPELINE/FLOOD AND DIKE

Period of Use: APRIL 1 to NOVEMBER 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	237.47			3	29N	7W	PONDERA
2	274.03			4	29N	7W	PONDERA
3	378.50			5	29N	7W	PONDERA
4	182.50			12	29N	8W	PONDERA
5	155.10			13	29N	8W	PONDERA
6	272.30			27	30N	7W	PONDERA
7	370.39			28	30N	7W	PONDERA
8	65.94			29	30N	7W	PONDERA
9	485.95			32	30N	7W	PONDERA
10	448.80			33	30N	7W	PONDERA
11	529.33			34	30N	7W	PONDERA
Total:	3,400.31						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

THIS WATER RIGHT IS SUBJECT TO THE FINAL ORDER
THE WATER RIGHTS SHALL BE ADMINISTERED AND WATER SHALL BE DISTRIBUTED BY THE PONDERA COUNTY CANAL & RESERVOIR COMPANY AS STATED IN THE AGREEMENT SIGNED BY THE PARTIES ON AUGUST 27, 1993.
THE ISSUANCE OF THIS RIGHT BY THE DEPARTMENT SHALL NOT REDUCE THE APPROPRIATOR'S LIABILITY FOR DAMAGES CAUSED BY THE APPROPRIATOR'S EXERCISE OF THIS RIGHT. NOR DOES THE DEPARTMENT IN ISSUING THE RIGHT IN ANY WAY ACKNOWLEDGE LIABILITY FOR DAMAGE CAUSED BY THE APPROPRIATOR'S EXERCISE OF THIS RIGHT.

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 18277 RECEIVED 12/14/2004.