

**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:** 40A 211598-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE  
**Late Claim:** B

**Owners:** MCFARLAND WHITE RANCH INC  
PO BOX 235  
TWO DOT, MT 59085-0235

**Priority Date:** MAY 15, 1889

**Enforceable Priority Date:** JUNE 30, 1973

CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.00 CFS

**Maximum Volume:** 343.14 AC-FT

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 1,163.10

**Source Name:** BIG ELK 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		SWSESW	12	6N	12E	WHEATLAND

**Period of Diversion:** APRIL 15 TO OCTOBER 4

**Diversion Means:** HEADGATE

2		NWNENW	13	6N	12E	WHEATLAND
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**Period of Diversion:** APRIL 15 TO OCTOBER 4

**Diversion Means:** HEADGATE

3		NWNENW	13	6N	12E	WHEATLAND
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**Period of Diversion:** APRIL 15 TO OCTOBER 4

**Diversion Means:** HEADGATE

4		SENWNW	13	6N	12E	WHEATLAND
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**Period of Diversion:** APRIL 15 TO OCTOBER 4

**Diversion Means:** HEADGATE

5		SESWSW	14	6N	12E	WHEATLAND
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**Period of Diversion:** APRIL 15 TO OCTOBER 4

**Diversion Means:** HEADGATE

6		SWSWSW	23	6N	12E	WHEATLAND
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**Period of Diversion:** APRIL 15 TO OCTOBER 4

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 15 to OCTOBER 4

**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	26.00		NE	6	6N	13E	WHEATLAND
2	40.00		NW	5	6N	13E	WHEATLAND
3	90.00			13	6N	12E	WHEATLAND
4	12.00		SE	12	6N	12E	WHEATLAND
5	17.10		E2NW	7	6N	13E	WHEATLAND
6	63.00		NE	7	6N	13E	WHEATLAND
7	91.00		E2	6	6N	13E	WHEATLAND

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
8	60.00		NW	5	5	6N	13E	WHEATLAND
9	100.00		NE	5	5	6N	13E	WHEATLAND
10	240.00		SW	5	5	6N	13E	WHEATLAND
11	120.00		SE	5	5	6N	13E	WHEATLAND
12	40.00		SE	4	4	6N	13E	WHEATLAND
13	102.00		NE	4	4	6N	13E	WHEATLAND
14	20.00		SW	4	4	6N	13E	WHEATLAND
15	120.00		NW	4	4	6N	13E	WHEATLAND
16	22.00		NE	4	4	6N	13E	WHEATLAND
<b>Total:</b>	1,163.10							

**Geocodes/Valid:** 44-1506-12-4-01-01-0000 - Y 44-1506-13-1-01-01-0000 - Y  
 44-1507-04-2-01-01-0000 - Y 44-1507-05-1-01-01-0000 - Y  
 44-1507-06-4-01-01-0000 - Y 44-1507-07-1-01-01-0000 - Y

**Remarks:**

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

CLAIM WAS NOT INCLUDED IN THE BASIN 40A TEMPORARY PRELIMINARY DECREE ISSUED 05/07/85. CLAIM FILED LATE 12/02/85 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.