

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: 40J 151985-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: SHALOM FARMS LLC
14615 PARADISE VALLEY RD
CHINOOK, MT 59523-9342

Priority Date: SEPTEMBER 17, 1900

Enforceable Priority Date: SEPTEMBER 17, 1900

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 160.00 AC-FT

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 86.00

Source Name: UNNAMED TRIBUTARY OF MILK RIVER

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		NWNESE	15	32N	23E	BLAINE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNESE	15	32N	23E	BLAINE

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 7.00 ACRES

Current Capacity: 28.00 ACRE-FEET

THE DAM EXTENDS INTO THE NENWSE SEC 15 TWP 32N RGE 23E BLAINE COUNTY.
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	30.00		NENE	22	32N	23E	BLAINE
2	13.00		N2SENE	22	32N	23E	BLAINE
3	1.00		S2SENE	22	32N	23E	BLAINE
4	7.00		NWNWNW	23	32N	23E	BLAINE
5	12.00		S2NWNW	23	32N	23E	BLAINE
6	1.00		NWSENE	23	32N	23E	BLAINE
7	2.00		SWSENE	23	32N	23E	BLAINE
8	20.00		SWNW	23	32N	23E	BLAINE
Total:	86.00						

Geocodes/Valid: 24-4449-22-1-01-01-0000 - Y 24-4449-23-2-02-01-0000 - Y

Remarks:

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.

151979-00 151980-00 151981-00 151983-00 151985-00 30048577

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/13/1992: PLACE OF USE, MAXIMUM ACRES, TYPE OF RIGHT.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 70622 RECEIVED 05/22/2009.

OWNERSHIP UPDATE TYPE DOR # 85086 RECEIVED 10/15/2009.

OWNERSHIP UPDATE TYPE 641 # 71151 RECEIVED 10/23/2009.

OWNERSHIP UPDATE TYPE DOR # 102644 RECEIVED 04/09/2012.

OWNERSHIP UPDATE TYPE DOR # 102643 RECEIVED 04/09/2012.

OWNERSHIP UPDATE TYPE DOR # 125181 RECEIVED 10/14/2014.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40J 151979-00, 40J 151980-00, 40J 151981-00, 151983-00, 151985-00, 40J 30048577.

A FORM 641 DIVIDED INTEREST FORM WAS RECEIVED ON 10/23/2009 . THE DIVISION OF THE WATER RIGHT HAS NOT BEEN IMPLEMENTED DUE TO A LACK OF INFORMATION.

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). 678-184 , DATED 07/03/1981 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). MV-5R-144 , DATED 09/05/1956 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

ACCORDING TO INFORMATION IN THE CLAIM FILE, THE RESERVOIR WAS CONSTRUCTED IN 1930 WHICH DOES NOT CORRESPOND TO THE CLAIMED PRIORITY DATE. THIS MAY INDICATE AN EXPANSION OF THE WATER RIGHT.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 5.70 TIMES THE CAPACITY OF THE RESERVOIR.