

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 155571-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: DG FARMS LLC
118 VALLEY DR
BOZEMAN, MT 59718

Priority Date: JUNE 17, 1904
Enforceable Priority Date: JUNE 17, 1904

Type of Historical Right: FILED

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

Maximum Flow Rate: 2.35 CFS
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: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT
PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 - MODERATE

Maximum Acres: 62.00

Source Name: PONDERA 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		NESWNE	31	28N	1E	PONDERA

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: PUMP

2		NESWNE	31	28N	1E	PONDERA
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: PUMP

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	27.00		SENW	6	27N	1E	PONDERA
2	35.00	5	SWNW	6	27N	1E	PONDERA
Total:	62.00						

Geocodes/Valid: 26-3859-06-1-03-03-0000 - Y 26-3859-06-2-01-01-0000 - Y
26-3859-06-2-03-01-0000 - 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.

155571-00 155575-00 155576-00 155577-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/21/1992.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 27630 RECEIVED 12/16/2005.

OWNERSHIP UPDATE TYPE DOR # 120493 RECEIVED 04/18/2014.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

Remarks:

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 44.00.
ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 03/23/2012, A PORTION OF
THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JOSHUA
BILLMAYER.
ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 03/23/2012, A PORTION OF
THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LAVONNE
HASTINGS.
THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA
WHICH IS APRIL 15 TO OCTOBER 15.
USDA AERIAL PHOTOGRAPH NO. 278-115 , DATED 05/22/1979 APPEARS TO INDICATE 26.00 ACRES
IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
AERIAL PHOTOGRAPH NO(S). ZR-01T-121 , DATED 05/24/1957 , APPEARS TO INDICATE 0.00 ACRES
IRRIGATED.
THE PRIORITY DATE MAY BE QUESTIONABLE. THE SOURCE DESCRIBED ON THE FILED NOTICE OF
APPROPRIATION IS INCONSISTENT WITH THE CLAIMED SOURCE.