

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: 40EJ 158812-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: ROBERT J HERDEGEN
BIRDTAIL RANCH
4220 BIRDTAIL RD
CHINOOK, MT 59523-9221

Priority Date: OCTOBER 6, 1913
Enforceable Priority Date: OCTOBER 6, 1913

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 5.00 CFS

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

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 160.00

Source Name: GAP 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		SESWSE	23	28N	19E	BLAINE

Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: DIVERSION DAM

Period of Use: APRIL 1 to NOVEMBER 1

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	40.00		SWSE	23	28N	19E	BLAINE
2	40.00		NENE	26	28N	19E	BLAINE
3	80.00		W2NE	26	28N	19E	BLAINE
Total:	160.00						

Geocodes/Valid: 24-4010-23-3-03-01-0000 - Y 24-4010-26-3-01-01-0000 - Y

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/13/93.

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

THE BLAINE COUNTY WATER RESOURCES SURVEY (1967) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 378-34 , DATED 10/08/1980 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.