

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 158813-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

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

SYLER BURCHAM
4220 BIRDTAIL RD
CHINOOK, MT 59523-9221

ALISHA BURCHAM
4220 BIRDTAIL RD
CHINOOK, MT 59523-9221

Priority Date: JULY 20, 1910
Enforceable Priority Date: JULY 20, 1910

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 10.00 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: 320.00

Source Name: UNNAMED TRIBUTARY OF GAP CREEK
Source Type: SURFACE WATER

ALSO KNOWN AS WEST FORK GAP CREEK

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		SESENW	26	28N	19E	BLAINE

Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

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		SESE	26	28N	19E	BLAINE
2	80.00		W2SE	26	28N	19E	BLAINE
3	80.00		E2SW	26	28N	19E	BLAINE
4	80.00		N2NE	35	28N	19E	BLAINE
5	40.00		SENE	35	28N	19E	BLAINE
Total:	320.00						

Geocodes/Valid: 24-4010-26-3-01-01-0000 - Y 24-4010-35-1-01-01-0000 - 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.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 148121 RECEIVED 10/12/2016.

<p>FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE BLAINE COUNTY WATER RESOURCES SURVEY (1967) APPEARS TO INDICATE 175 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.</p>

Remarks:

USDA AERIAL PHOTOGRAPH NO(S). 378-34 , DATED 10/08/1980 , APPEARS TO INDICATE 175 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED POINT OF DIVERSION MAY BE INCOMPLETE. IT APPEARS THERE SHOULD BE ADDITIONAL POINTS OF DIVERSION ON THE SOURCE WHICH COULD NOT BE IDENTIFIED FROM INFORMATION IN THE CLAIM FILE.