

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: 42B 162761-00 STATEMENT OF CLAIM
Version: 3 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: DIAMOND CROSS PROPERTIES LLC
PO BOX 70
BIG HORN, WY 82833

Priority Date: JULY 14, 1891
Enforceable Priority Date: JULY 14, 1891

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

Maximum Flow Rate: 8.96 CFS

Historical Flow Rate: 8.96 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

Historical Diverted Volume: 802.50 AC-FT

Historical Consumptive Volume: 308.19 AC-FT

Maximum Acres: 284.00

Source Name: TONGUE 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		NENESE	11	7S	41E	ROSEBUD

Period of Diversion: APRIL 1 TO DECEMBER 1

Diversion Means: HEADGATE

Ditch Name: 4 D DITCH

2		S2SWSW	6	7S	42E	ROSEBUD
---	--	--------	---	----	-----	---------

Period of Diversion: APRIL 1 TO DECEMBER 1

Diversion Means: PUMP

Ditch Name: 4 D DITCH

3		NWSENW	6	7S	42E	ROSEBUD
---	--	--------	---	----	-----	---------

Period of Diversion:

Diversion Means: PUMP

4		SWNENW	6	7S	42E	ROSEBUD
---	--	--------	---	----	-----	---------

Period of Diversion:

Diversion Means: PUMP

5		NWNENW	6	7S	42E	ROSEBUD
---	--	--------	---	----	-----	---------

Period of Diversion:

Diversion Means: PUMP

6		SWNENE	6	7S	42E	ROSEBUD
---	--	--------	---	----	-----	---------

Period of Diversion:

Diversion Means: PUMP

Period of Use: APRIL 1 to DECEMBER 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	45.00		S2SE	31	6S	42E	ROSEBUD
2	40.00		SESW	31	6S	42E	ROSEBUD
3	13.00	4	SWSW	31	6S	42E	ROSEBUD
4	56.00		N2NE	6	7S	42E	ROSEBUD
5	67.00		E2W2	6	7S	42E	ROSEBUD
6	63.00		W2W2	6	7S	42E	ROSEBUD
Total:	284.00						

Geocodes/Valid: 29-0384-06-2-01-01-0000 - Y 29-0469-31-1-03-01-1469 - Y

Remarks:

THE CUMULATIVE DIVERTED FLOW RATE FROM PUMPS 14, 15, 16, AND 17, AND THE 4D DITCH PUMP CANNOT AT ANY TIME EXCEED 8.96 CFS.

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER AT A POINT IN THE DELIVERY LINE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED, INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 69606 RECEIVED 09/15/2008.
 OWNERSHIP UPDATE TYPE DOR # 75990 RECEIVED 03/12/2010.