

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 167168-00 STATEMENT OF CLAIM

**Version:** 2 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** NELSON FARM & RANCH OF VALIER  
8031 BULLHEAD RD  
VALIER, MT 59486

JUSTIN L NELSON  
8031 BULLHEAD RD  
VALIER, MT 59486-5172

STEPHANIE M NELSON  
8031 BULLHEAD RD  
VALIER, MT 59486-5172

JAMES L NELSON  
8031 BULLHEAD RD  
VALIER, MT 59486-5172

OWNER NELSON FARM & RANCH OF VALIER RETAINED. CONTRACT FOR DEED INTEREST.

OWNER JAMES L NELSON RETAINED. CONTRACT FOR DEED INTEREST.

**Priority Date:** SEPTEMBER 30, 1946

**Enforceable Priority Date:** SEPTEMBER 30, 1946

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 800.00 GPM

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

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 100.00

**Source Name:** BULLHEAD 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		SESWW	11	30N	4W	PONDERA

**Period of Diversion:** JUNE 1 TO AUGUST 31

**Diversion Means:** PUMP

2		SWNESE	10	30N	4W	PONDERA
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**Period of Diversion:** JUNE 1 TO AUGUST 31

**Diversion Means:** PUMP

**Period of Use:** JUNE 1 to AUGUST 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	40.00		SWSW	11	30N	4W	PONDERA
2	60.00		S2SE	10	30N	4W	PONDERA
<b>Total:</b>	100.00						

ALL OF THE CLAIMED PLACE OF USE IS LOCATED NORTH OF BULLHEAD CREEK.

**Geocodes/Valid:** 26-4204-10-1-01-01-0000 - Y 26-4204-11-3-02-01-0000 - Y

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME PUMP. THE TOTAL FLOW RATE FOR THESE CLAIMS CANNOT EXCEED THE HISTORICAL 800 GPM CAPACITY OF THAT PUMP. 167168-00 167170-00

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**Remarks:**

THIS CLAIM WAS PART OF A CERTIFICATION CASE REFERRED TO THE MONTANA WATER COURT UNDER SECTION 85-2-309 (2) MCA. THE ELEMENTS OF THE CLAIM MAY HAVE BEEN AMENDED BY THE WATER COURT AS A RESULT OF THESE PROCEEDINGS. SEE THE CLAIM FILE OR WATER COURT CASE WC2004-04 FOR MORE INFORMATION.

THIS CLAIM WAS HISTORICALLY USED TO IRRIGATED ABOUT HALF OF THE CLAIMED PLACE OF USE DURING ANY IRRIGATION SEASON. THE AVERAGE USE OF THE CLAIM APPEARS TO HAVE BEEN ONCE EVERY THREE OR FOUR YEARS DEPENDING ON CROP ROTATION, PRECIPITATION, AND WATER AVAILABILITY.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/17/92.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 6368 RECEIVED 01/03/2003.

OWNERSHIP UPDATE TYPE DOR # 93170 RECEIVED 12/15/2010.

OWNERSHIP UPDATE TYPE DOR # 132108 RECEIVED 01/02/2014.