

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

A version with a more recent operating authority date exists. Contact DNRC for details.

Water Right Number: 41M 185666-00 STATEMENT OF CLAIM
Version: 2 -- 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: PONDERA COUNTY CANAL & RESERVOIR CO
PO BOX 245
VALIER, MT 59486

Priority Date: AUGUST 31, 1897

Enforceable Priority Date: AUGUST 31, 1897

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 8.08 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. 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: 4 - MODERATELY LOW

Maximum Acres: 213.30

Source Name: BIRCH 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		NENWSW	27	29N	8W	PONDERA

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: B CANAL

2	1	NWNENE	14	29N	8W	PONDERA
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Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Period of Use: APRIL 1 to SEPTEMBER 30

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	35.40		W2SW	13	29N	8W	PONDERA
2	8.40		E2E2SE	14	29N	8W	PONDERA
3	55.50		NE	23	29N	8W	PONDERA
4	2.90		NENESE	23	29N	8W	PONDERA
5	22.80		W2NE	24	29N	8W	PONDERA
6	74.00		NW	24	29N	8W	PONDERA
7	14.30		N2NWSW	24	29N	8W	PONDERA
Total:	213.30						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

185666-00 185707-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/2006: POINT OF DIVERSION, PLACE OF USE, FLOW RATE, MAXIMUM ACRES, PERIOD OF USE.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/13/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/13/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/14/97.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 2255 RECEIVED 04/17/2002.

OWNERSHIP UPDATE TYPE 608 # 14327 RECEIVED 05/21/2004.