

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: 40A 199382-00 STATEMENT OF CLAIM
Version: 4 -- 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: T NEIL GLENNIE
1643 JUDITH GAP RD
JUDITH GAP, MT 59453-8103

Priority Date: MAY 6, 1893
Enforceable Priority Date: MAY 6, 1893

Purpose (use): IRRIGATION
MITIGATION WATER
Purpose Clarification: CENTER PIVOT IRRIGATION
Purpose Clarification: RETURN FLOW MITIGATION

Irrigation Type: SPRINKLER
Maximum Flow Rate: 2.72 CFS
THE FLOW RATE INCLUDES 2.5 CFS FOR THE PIVOT DIVERSION AND A MAXIMUM OF 0.22 CFS FOR MITIGATION.

Historical Flow Rate: 3.75 CFS
Maximum Volume: 159.30 AC-FT
THE VOLUME ASSOCIATED WITH CENTER PIVOT IRRIGATION IS 122.5 ACRE- FEET, WHILE THE VOLUME ASSOCIATED WITH MITIGATION OF RETURN FLOWS TO LITTLE CARELESS CREEK IS 36.8 ACRE- FEET. STATEMENT OF CLAIM NOS. 40A 199382, 40A 199383 & 40A 199384 ARE SUPPLEMENTAL WATER RIGHTS AND MAY BE USED TO DIVERT A MAXIMUM COMBINED VOLUME OF 159.3 ACRE- FEET

Climatic Area: 4 - MODERATELY LOW
Historical Diverted Volume: 72.90 AC-FT
Historical Consumptive Volume: 36.80 AC-FT
Maximum Acres: 161.00

Source Name: CARELESS 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		SENESE	20	10N	18E	WHEATLAND

Period of Diversion: APRIL 20 TO OCTOBER 10 **Flow Rate:** 2.50 CFS

Diversion Means: PUMP
Pump Size: 40.00 HP

2		SENWNW	21	10N	18E	WHEATLAND
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Period of Diversion: JUNE 1 TO SEPTEMBER 30 **Flow Rate:** .22 CFS

Diversion Means: HEADGATE

THE MONTHLY FLOW RATES ASSOCIATED TO MITIGATION OF RETURN FLOWS TO LITTLE CARELESS CREEK USING POINT OF DIVERSION ID #2 ARE AS FOLLOWS:
JUN: 70.3 GPM
JUL: 99.7 GPM
AUG: 89.8 GPM
SEP: 11.1 GPM

Period of Use: APRIL 20 to OCTOBER 10
JUNE 1 to SEPTEMBER 30

Purpose (Use): IRRIGATION
Period of Use: APRIL 20 to OCTOBER 10

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	11.50		W2W2SE	28	10N	18E	WHEATLAND
2	139.00		NW	28	10N	18E	WHEATLAND
3	10.50		N2N2NE	28	10N	18E	WHEATLAND
Total:	161.00						

Purpose (Use): MITIGATION WATER
Period of Use: JUNE 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			SE	17	10N	18E	WHEATLAND

Geocodes/Valid: 44-1910-17-4-01-01-0000 - Y 44-1910-20-4-01-01-0000 - Y
44-1910-20-4-01-03-0000 - Y 44-1910-20-4-01-04-0000 - Y

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

199382-00 199383-00 199384-00

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

****WATER MEASUREMENT AND RECORDS REQUIRED:**

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT-APPROVED IN-LINE FLOW METER IN THE SUPPLY LINE FOR THE CENTER PIVOT. THE LOCATION OF THE FLOW METER MUST BE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED TO THE CENTER PIVOT, INCLUDING THE PERIOD OF TIME.

THE APPROPRIATOR SHALL ALSO INSTALL A DEPARTMENT-APPROVED MEASURING DEVICE IN THE CALDWELL DITCH/CONVEYANCE SYSTEM TO MEASURE APPROPRIATIONS FOR MITIGATION PURPOSES. THE LOCATION OF THE DEVICE MUST BE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED FOR THE PURPOSE OF MITIGATION, INCLUDING THE PERIOD OF TIME. THIS CONDITION SHALL BE COORDINATED WITH THE WRITTEN STIPULATION AND AGREEMENT SIGNED AND FILED BY THE PARTIES ON JANUARY 12, 2017.

RECORDS OF APPROPRIATIONS FOR EACH PURPOSE SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT RECORDS MAY BE CAUSE FOR REVOCATION OF THE AUTHORIZATION. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICES SO THEY ALWAYS OPERATE PROPERLY AND MEASURE THE FLOW RATE AND VOLUME OF WATER ACCURATELY.

SUBMIT RECORDS TO;
LEWISTOWN WATER RESOURCES REGIONAL OFFICE
613 NE MAIN ST, SUITE E
LEWISTOWN, MT
PHONE: 406-538-7459
FAX: 406-538-7012

IMPORTANT INFORMATION:

THE MAXIMUM FLOW RATE THAT CAN BE DIVERTED BY THE IRRIGATION PUMPING SYSTEM IS 2.5 CFS. THIS FLOW RATE CAN BE ACHIEVED BY ANY COMBINATION OF THE THREE WATER RIGHTS BEING CHANGED. HOWEVER, AT ANY TIME THAT STATEMENT OF CLAIM NO. 40A 199383 (SENIOR WATER RIGHT) IS THE SOLE WATER RIGHT BEING USED FOR BOTH PURPOSES OF IRRIGATION AND MITIGATION, THE COMBINED FLOW RATE THAT CAN BE DIVERTED BETWEEN THE TWO PURPOSES AND DIVERSION POINTS IS 2.5 CFS. AT NO TIME SHALL THE FLOW RATE BETWEEN THE TWO POINTS OF DIVERSION EXCEED 2.5 CFS FOR 40A 199383. THE APPROPRIATOR SHALL KEEP RECORDS OF DIVERSIONS FOR BOTH PURPOSES, INCLUDING THE PERIOD OF TIME, AND DISTINGUISH THE AMOUNTS OF WATER DIVERTED FOR EACH WATER RIGHT. THE RECORDS SHALL BE SUBMITTED BY NOVEMBER

Remarks:

30 OF EACH YEAR, AND UPON REQUEST AT OTHER TIMES DURING THE YEAR, TO THE LEWISTOWN WATER RESOURCES REGIONAL OFFICE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 122218 RECEIVED 01/21/2014.