

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:** 41M 199827-00 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:** OCTOBER 15, 1963

**Enforceable Priority Date:** OCTOBER 15, 1963

**Purpose (use):** STOCK

**Maximum Flow Rate:** 5.00 CFS

**Maximum Volume:** 44.00 AC-FT

**Source Name:** BIRCH CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	1	29N	8W	PONDERA

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** HEADGATE W/DITCH OR PIPELINE/FLOOD AND DIKE

**Period of Use:** JANUARY 1 to DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				2	29N	7W	PONDERA
2				3	29N	7W	PONDERA
3				4	29N	7W	PONDERA
4				5	29N	7W	PONDERA
5			SE	11	29N	8W	PONDERA
6			W2	12	29N	8W	PONDERA
7				14	29N	8W	PONDERA
8				23	30N	7W	PONDERA
9				24	30N	7W	PONDERA
10			NE	25	30N	7W	PONDERA
11				26	30N	7W	PONDERA
12				31	30N	7W	PONDERA
13				32	30N	7W	PONDERA
14				33	30N	7W	PONDERA
15				34	30N	7W	PONDERA

**Geocodes/Valid:** -- NO VALID GEOCODES --

**Remarks:**

THIS WATER RIGHT IS SUBJECT TO THE FINAL ORDER

THE WATER RIGHTS SHALL BE ADMINISTERED AND WATER SHALL BE DISTRIBUTED BY THE PONDERA COUNTY CANAL & RESERVOIR COMPANY AS STATED IN THE AGREEMENT SIGNED BY THE PARTIES ON AUGUST 27, 1993.

THE ISSUANCE OF THIS RIGHT BY THE DEPARTMENT SHALL NOT REDUCE THE APPROPRIATOR'S LIABILITY FOR DAMAGES CAUSED BY THE APPROPRIATOR'S EXERCISE OF THIS RIGHT. NOR DOES THE DEPARTMENT IN ISSUING THE RIGHT IN ANY WAY ACKNOWLEDGE LIABILITY FOR DAMAGE CAUSED BY THE APPROPRIATOR'S EXERCISE OF THIS RIGHT.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 58599 RECEIVED 05/22/2008.