

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 201953-00 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: HORPESTAD RANCH INC
PO BOX 93
LAVINA, MT 59046-0093

Priority Date: OCTOBER 5, 1892
Enforceable Priority Date: OCTOBER 5, 1892

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD
Maximum Flow Rate: 3.01 CFS
Historical Flow Rate: 3.01 CFS
Maximum Volume: 182.90 AC-FT
Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 123.40
Source Name: MUSSELSHELL 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		NENWSW	5	6N	22E	GOLDEN VALLEY

Period of Diversion: APRIL 1 TO OCTOBER 31 **Flow Rate:** 1.89 CFS

Diversion Means: HEADGATE

Ditch Name: LAVINA SOUTH CANAL

2		SWNWSW	3	6N	22E	GOLDEN VALLEY
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Period of Diversion: APRIL 1 TO OCTOBER 31 **Flow Rate:** 1.78 CFS

Diversion Means: PUMP

Period of Use: APRIL 1 to OCTOBER 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	9.50		S2	3	6N	22E	GOLDEN VALLEY
2	113.90		N2	10	6N	22E	GOLDEN VALLEY
Total:	123.40						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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

WATER MEASUREMENT RECORDS REQUIRED:

THE APPROPRIATOR SHALL INSTALL DEPARTMENT APPROVED WATER USE MEASURING DEVICES IN THE LAVINA SOUTH CANAL AND CENTER PIVOT PUMPING SYSTEM AT POINTS APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICES ARE 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 FROM EACH DIVERSION POINT, 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 DEVICES SO THEY ALWAYS OPERATE PROPERLY AND MEASURE FLOW RATE AND

Remarks:

VOLUME ACCURATELY.

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

IMPORTANT INFORMATION:
THE COMBINED FLOW RATE OF THE TWO WATER RIGHTS ASSOCIATED WITH THIS CHANGE AUTHORIZATION IS 3.67 CUBIC FEET PER SECOND (CFS). THE COMBINATION OF IRRIGATION SYSTEMS INCLUDES DIVERSION OF WATER FROM THE LAVINA SOUTH CANAL FOR FLOOD IRRIGATION, AND A PUMPING SYSTEM IN THE MUSSELSHELL RIVER FOR CENTER PIVOT IRRIGATION. THE DIVERTED FLOW RATE FROM THE LAVINA SOUTH CANAL SHALL NOT EXCEED 1.89 CUBIC FEET PER SECOND, AND THE DIVERTED FLOW RATE FROM THE PUMPING SYSTEM SHALL NOT EXCEED 1.78 CUBIC FEET PER SECOND.

IMPORTANT INFORMATION:
THE COMBINED DIVERTED VOLUME FOR STATEMENT OF CLAIM NOS. 40A 201952-00 AND 40A 201953-00 IS LIMITED TO 182.9 ACRE-FEET.