

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: 40B 208149-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: WADE HOGE
PO BOX 99
GRASS RANGE, MT 59032-0099

Priority Date: MAY 15, 1972
Enforceable Priority Date: MAY 15, 1972

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 1,795.20 GPM
Maximum Volume: 21.30 AC-FT
Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 65.50

Source Name: YELLOW WATER 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	1	SENENE	6	13N	25E	PETROLEUM

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: PUMP

2	1	SENENE	6	13N	25E	PETROLEUM
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: DAM

WATER FOR THIS RIGHT IS DIVERTED FROM A RESERVOIR ON YELLOW WATER CREEK TO AN OFF STREAM RESERVOIR/PIT KNOWN AS LAKE DAM. A PUMP AND PIPELINE IS USED TO CONVEY WATER TO LAKE DAM. WATER IS THEN CONVEYED TO A SECOND ON STREAM RESERVOIR KNOWN AS UPPER DAM. WATER IS THEN RELEASED THROUGH A HEADGATE AND DITCH TO THE CLAIMED ACRES IRRIGATED.

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	SENENE	6	13N	25E	PETROLEUM

Diversion to Reservoir: DIVERSION # 2

Dam Height: 13.00 FEET
Depth: 10.00 FEET
Surface Area: 3.00 ACRES
Current Capacity: 12.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** LAKE DAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	S2NWNW	5	13N	25E	PETROLEUM

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET
Depth: 10.00 FEET
Surface Area: 3.00 ACRES
Current Capacity: 12.00 ACRE-FEET

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

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	4.50	4	NWNW	5	13N	25E	PETROLEUM
2	6.00	1	NENENE	6	13N	25E	PETROLEUM
3	20.00		SWSE	32	14N	25E	PETROLEUM
4	35.00		S2SW	32	14N	25E	PETROLEUM
Total:	65.50						

Geocodes/Valid: 55-2247-05-1-01-01-0000 - Y 55-2247-06-1-01-01-0000 - Y
55-2372-32-3-03-01-0000 - 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.

208139-00 208141-00 208147-00 208148-00 208149-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/20/2007: PERIOD OF USE, PLACE OF USE, MAXIMUM ACRES.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/21/86.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/01/96.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/14/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 18171 RECEIVED 12/02/2004.

OWNERSHIP UPDATE TYPE DOR # 101927 RECEIVED 07/26/2012.

THE CLAIMED FLOW RATE APPEARS TO EXCEED THE CAPACITY OF THE DIVERSION AND CONVEYANCE FACILITIES.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE ON YELLOW WATER CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 20712, FERGUS COUNTY.