

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 211589-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: MCFARLAND WHITE RANCH INC
PO BOX 235
TWO DOT, MT 59085-0235

Priority Date: JUNE 15, 1899

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 12/02/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1.00 CFS

Maximum Volume: 343.14 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 1,163.10

Source Name: BIG ELK 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 | | SWSESW | 12 | 6N | 12E | WHEATLAND |

Period of Diversion: APRIL 15 TO OCTOBER 4

Diversion Means: HEADGATE

| | | | | | | |
|---|--|--------|----|----|-----|-----------|
| 2 | | NWNENW | 13 | 6N | 12E | WHEATLAND |
|---|--|--------|----|----|-----|-----------|

Period of Diversion: APRIL 15 TO OCTOBER 4

Diversion Means: HEADGATE

| | | | | | | |
|---|--|--------|----|----|-----|-----------|
| 3 | | NWNENW | 13 | 6N | 12E | WHEATLAND |
|---|--|--------|----|----|-----|-----------|

Period of Diversion: APRIL 15 TO OCTOBER 4

Diversion Means: HEADGATE

| | | | | | | |
|---|--|--------|----|----|-----|-----------|
| 4 | | SENWNW | 13 | 6N | 12E | WHEATLAND |
|---|--|--------|----|----|-----|-----------|

Period of Diversion: APRIL 15 TO OCTOBER 4

Diversion Means: HEADGATE

| | | | | | | |
|---|--|--------|----|----|-----|-----------|
| 5 | | SESWSW | 14 | 6N | 12E | WHEATLAND |
|---|--|--------|----|----|-----|-----------|

Period of Diversion: APRIL 15 TO OCTOBER 4

Diversion Means: HEADGATE

| | | | | | | |
|---|--|--------|----|----|-----|-----------|
| 6 | | SWSWSW | 23 | 6N | 12E | WHEATLAND |
|---|--|--------|----|----|-----|-----------|

Period of Diversion: APRIL 15 TO OCTOBER 4

Diversion Means: HEADGATE

Period of Use: APRIL 15 to OCTOBER 4

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 | 26.00 | | NE | 6 | 6N | 13E | WHEATLAND |
| 2 | 40.00 | | NW | 5 | 6N | 13E | WHEATLAND |
| 3 | 90.00 | | | 13 | 6N | 12E | WHEATLAND |
| 4 | 12.00 | | SE | 12 | 6N | 12E | WHEATLAND |
| 5 | 17.10 | | E2NW | 7 | 6N | 13E | WHEATLAND |
| 6 | 63.00 | | NE | 7 | 6N | 13E | WHEATLAND |
| 7 | 91.00 | | E2 | 6 | 6N | 13E | WHEATLAND |

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> |
|---------------|--------------|-----------------|----------------|------------|------------|------------|---------------|
| 8 | 60.00 | | NW | 5 | 6N | 13E | WHEATLAND |
| 9 | 100.00 | | NE | 5 | 6N | 13E | WHEATLAND |
| 10 | 240.00 | | SW | 5 | 6N | 13E | WHEATLAND |
| 11 | 120.00 | | SE | 5 | 6N | 13E | WHEATLAND |
| 12 | 40.00 | | SE | 4 | 6N | 13E | WHEATLAND |
| 13 | 102.00 | | NE | 4 | 6N | 13E | WHEATLAND |
| 14 | 20.00 | | SW | 4 | 6N | 13E | WHEATLAND |
| 15 | 120.00 | | NW | 4 | 6N | 13E | WHEATLAND |
| 16 | 22.00 | | NE | 4 | 6N | 13E | WHEATLAND |
| Total: | 1,163.10 | | | | | | |

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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

CLAIM WAS NOT INCLUDED IN THE BASIN 40A TEMPORARY PRELIMINARY DECREE ISSUED 05/07/85. CLAIM FILED LATE 12/02/85 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.