

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 119571-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: PETROLIA IRRIGATION DISTRICT
PO BOX 111
WINNETT, MT 59087

Priority Date: MARCH 27, 1950

Enforceable Priority Date: MARCH 27, 1950

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

THE PURPOSE ALSO INCLUDES SALE OF WATER.

THIS RIGHT INCLUDES WATER STORAGE AS PROVIDED FOR IN SECTION 89-121 R.C.M. (1947) (REPEALED). THE RIGHT STORES IRRIGATION WATER IN THE PETROLIA RESERVOIR FOR LATER RELEASE TO PETROLIA IRRIGATION DISTRICT MEMBERS AND THIRD PARTY WATER PURCHASERS.

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 32,937.00 AC-FT

THIS WATER RIGHT IS AN IRRIGATION RIGHT FROM AN ONSTREAM RESERVOIR. THE SOURCE, ELK CREEK, FLOWS INTO THE SAME RESERVOIR AS THE SOURCE FOR CLAIM NO. 40B 119573-00, FLATWILLOW CREEK. THE VOLUME REFLECTED ON THESE CLAIMS IS A SHARED VOLUME THAT SHALL NOT BE EXCEEDED BY THE PETROLIA IRRIGATION DISTRICT IN ITS DISTRIBUTION OF IRRIGATION WATER TO ITS SHAREHOLDERS AND CUSTOMERS.

Climatic Area: 1 - HIGH

Maximum Acres: 4,863.00

Source Name: 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		NWSESE	25	14N	27E	PETROLEUM

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM **Reservoir Name** PETROLIA

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSESE	25	14N	27E	PETROLEUM

Diversion to Reservoir: DIVERSION # 1

Dam Height: 59.00 FEET

Depth: 40.50 FEET

Surface Area: 515.00 ACRES

Current Capacity: 8,380.00 ACRE-FEET

THE FOLLOWING CLAIMS SHARE THE SAME RESERVOIR:
41J 119571-00, 41J 119572-00, 41J 119573-00, 41J 119574-00

Period of Use: MARCH 1 to NOVEMBER 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				25	14N	27E	PETROLEUM
2				26	14N	27E	PETROLEUM
3				35	14N	27E	PETROLEUM
4				2	14N	28E	PETROLEUM
5				3	14N	28E	PETROLEUM
6				4	14N	28E	PETROLEUM
7				9	14N	28E	PETROLEUM
8				10	14N	28E	PETROLEUM

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>
9				11	14N	28E	PETROLEUM
10				13	14N	28E	PETROLEUM
11				14	14N	28E	PETROLEUM
12				15	14N	28E	PETROLEUM
13				19	14N	28E	PETROLEUM
14				20	14N	28E	PETROLEUM
15				21	14N	28E	PETROLEUM
16				23	14N	28E	PETROLEUM
17				24	14N	28E	PETROLEUM
18				25	14N	28E	PETROLEUM
19				26	14N	28E	PETROLEUM
20				27	14N	28E	PETROLEUM
21				28	14N	28E	PETROLEUM
22				29	14N	28E	PETROLEUM
23				30	14N	28E	PETROLEUM
24				31	14N	28E	PETROLEUM
25				32	14N	28E	PETROLEUM
26				33	14N	28E	PETROLEUM
27				34	14N	28E	PETROLEUM
28				18	14N	29E	PETROLEUM
29				19	14N	29E	PETROLEUM
30				20	14N	29E	PETROLEUM
31				30	14N	29E	PETROLEUM

Geocodes/Valid: -- NO VALID GEOCODES --

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.

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/03/99.