

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: 40EJ 12506-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

MICHAEL J MONTGOMERY
22270 US HWY 191
HILGER, MT 59451-9804

LORI K MONTGOMERY
22270 US HWY 191
HILGER, MT 59451-9804

CARRIE E MONTGOMERY
22270 US HWY 191
HILGER, MT 59451-9804

MICHAEL JOHN MONTGOMERY
22270 US HWY 191
HILGER, MT 59451-9804

OWNER C JOHN MONTGOMERY RETAINED. CONTRACT FOR DEED INTEREST.

Priority Date: OCTOBER 31, 1898

Enforceable Priority Date: OCTOBER 31, 1898

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1.06 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT
PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 28.00

Source Name: ARMELLS CREEK, MIDDLE FORK

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		SENWSE	32	18N	20E	FERGUS

Period of Diversion: MARCH 1 TO NOVEMBER 1

Diversion Means: HEADGATE

WATER DIVERTED FROM THE CLAIMED DIVERSION IS CONVEYED BY A DITCH TO
A SECONDARY POINT OF DIVERSION LOCATED ON AN UNNAMED TRIBUTARY OF
ARMELLS CREEK, MIDDLE FORK IN THE NENWSE SEC 32 TWP 18N RGE 20E
FERGUS COUNTY.

Period of Use: MARCH 1 to NOVEMBER 1

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	16.00		E2W2SE	29	18N	20E	FERGUS
2	12.00		E2NWNE	32	18N	20E	FERGUS
Total:	28.00						

Geocodes/Valid: 08-2795-29-2-03-01-0000 - Y 08-2795-32-1-02-01-0000 - Y

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/05/96.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 18482 RECEIVED 12/16/2004.

Remarks:

OWNERSHIP UPDATE TYPE DOR # 128603 RECEIVED 11/04/2009.

USE OF THE CLAIMED DITCH TO CONVEY WATER TO THE PLACE OF USE MAY BE QUESTIONABLE.

THE MEANS OF DIVERSION APPEARS TO BE INCORRECT. THE MEANS OF DIVERSION APPEARS TO BE A DIKE OR DAM.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE FERGUS COUNTY WATER RESOURCES SURVEY (1971) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 278-261 , DATED 09/25/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.