

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: 400 30064386 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: ROCK CREEK LANDS PRTNRSHIP
% MARK HAGENBAUGH
22315 WHITE PEAKS DR
BEND, OR 97702

Priority Date: OCTOBER 31, 1971

Enforceable Priority Date: OCTOBER 31, 1971

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD/FURROW

Maximum Flow Rate: 27,200.00 GPM

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT USE THE SAME PUMP. THE COMBINED FLOW RATE FOR THESE RIGHTS IS LIMITED TO THE HISTORICAL PUMP CAPACITY. 40N 13098-00, 400 30064386.

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

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 3,811.00

Source Name: MILK 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		SESWNE	29	31N	36E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: OTHER

WATER DIVERTED FROM MILK RIVER IS CONVEYED TO ROCK CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NWNESE SEC 21 TWP 31N RGE 36E VALLEY COUNTY.

WATER FROM THE MILK RIVER BACK FLOWS TO THE SECONDARY POINT OF DIVERSION LOCATED ON ROCK CREEK. THIS BACK FLOW OCCURS INCIDENTALLY TO THE OPERATION OF VANDALIA DAM. VANDALIA DAM IS LOCATED DOWNSTREAM ON THE MILK RIVER IN THE SWSWNW OF SEC 7, T30N, R37E, VALLEY COUNTY. NO RIGHT TO CONTROL THE OPERATION OF VANDALIA DAM IS ASSERTED UNDER THIS WATER RIGHT.

THE POINT OF DIVERSION AND MEANS OF DIVERSION IS THE CONFLUENCE OF ROCK CREEK AND THE MILK RIVER.

Period of Use: APRIL 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	480.00			25	31N	36E	VALLEY
2	360.00			26	31N	36E	VALLEY
3	80.00		E2SE	27	31N	36E	VALLEY
4	160.00		NE	34	31N	36E	VALLEY
5	480.00			35	31N	36E	VALLEY
6	640.00			36	31N	36E	VALLEY
7	113.00		SW	5	30N	37E	VALLEY
8	40.00		NWNW	6	30N	37E	VALLEY
9	28.00		NW	8	30N	37E	VALLEY
10	70.00			29	31N	37E	VALLEY
11	580.00			30	31N	37E	VALLEY
12	480.00			31	31N	37E	VALLEY
13	300.00			32	31N	37E	VALLEY

Total: 3,811.00

Geocodes/Valid: 20-4247-05-3-01-01-0000 - Y

20-4247-06-2-02-01-0000 - Y

20-4247-08-2-02-01-0000 - Y	20-4357-25-2-01-01-0000 - Y
20-4357-25-2-02-02-0000 - Y	20-4357-25-3-01-01-0000 - Y
20-4357-26-1-01-01-0000 - Y	20-4357-26-3-01-01-0000 - Y
20-4357-27-4-01-01-0000 - Y	20-4357-34-1-01-01-0000 - Y
20-4357-35-1-01-01-0000 - Y	20-4357-36-1-01-01-0000 - Y
20-4358-29-1-01-01-0000 - Y	20-4358-29-2-02-01-0000 - Y
20-4358-29-2-04-01-0000 - Y	20-4358-30-1-01-01-0000 - Y
20-4358-31-1-01-01-0000 - Y	20-4358-32-2-01-01-0000 - Y

Remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40N PRELIMINARY DECREE ISSUED 08/13/1985. THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 40N 13098-00.

THIS APPROPRIATION OF WATER TAKES WATER FROM THE MILK RIVER, BELOW WHITEWATER INCLUDING PORCUPINE CREEK DRAINAGE (BASIN 400) AND USES IT IN THE ROCK CREEK, TRIBUTARY TO MILK RIVER DRAINAGE (BASIN 40N) AND THE MILK RIVER, BELOW WHITEWATER INCLUDING PORCUPINE CREEK DRAINAGE (BASIN 400). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL 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. 40N 13098-00, 400 30064386.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 107497 RECEIVED 02/14/2013.