

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

# GENERAL ABSTRACT

**A version with a more recent operating authority date exists. Contact DNRC for details.**

**Water Right Number:** 40B 28844-00 STATEMENT OF CLAIM  
**Version:** 5 -- CHANGE AUTHORIZATION  
**Version Status:** ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

**Owners:** JOHN R HUGHES III  
3065 FLATWILLOW RTE  
ROUNDUP, MT 59072-7001  
  
SKY HOOK RANCH  
3060 WINNETT RD  
ROUNDUP, MT 59072-7000  
  
DONALD E LAGESCHULTE  
1926 LUND RD  
WINNETT, MT 59087-8722  
  
MARYELLEN T LAGESCHULTE  
417 S HIGH ST  
LEWISTOWN, MT 59457-1917  
  
DIXIE R IVERSON  
3056 WINNETT RD  
ROUNDUP, MT 59072-7001  
  
SILVER SAGE RANCH  
3075 WINNETT RD  
ROUNDUP, MT 59072  
  
DANIEL W IVERSON  
3075 WINNETT RD  
ROUNDUP, MT 59072-7001  
  
JASON A HUGHES  
/AKA/HUGHES, JAY OR JASON  
27887 US HWY 87 S  
GRASS RANGE, MT 59032-8017

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** SEPTEMBER 19, 1882  
**Enforceable Priority Date:** SEPTEMBER 19, 1882

**Purpose (use):** IRRIGATION  
**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 12.00 CFS

**Maximum Volume:**  
**Climatic Area:** 1 - HIGH

**Maximum Acres:** 652.80

**Source Name:** FLATWILLOW 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		NWNENW	19	12N	26E	PETROLEUM

**Period of Diversion:** MARCH 15 TO NOVEMBER 19  
**Diversion Means:** PUMP

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWNENW	19	12N	26E	PETROLEUM
<b>Period of Diversion:</b> MARCH 15 TO NOVEMBER 19						
<b>Diversion Means:</b> HEADGATE						
3		NESENW	23	12N	25E	PETROLEUM
<b>Period of Diversion:</b> MARCH 15 TO NOVEMBER 19						
<b>Diversion Means:</b> HEADGATE						
4		NESWNW	20	12N	26E	PETROLEUM
<b>Period of Diversion:</b> MARCH 15 TO NOVEMBER 19						
<b>Diversion Means:</b> PUMP						
5		NESWNW	20	12N	26E	PETROLEUM
<b>Period of Diversion:</b> MARCH 15 TO NOVEMBER 19						
<b>Diversion Means:</b> PUMP						
6		SWSENE	24	12N	25E	PETROLEUM
<b>Period of Diversion:</b> MARCH 15 TO NOVEMBER 19						
<b>Diversion Means:</b> HEADGATE						

**Period of Use:** MARCH 15 to NOVEMBER 19

**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	119.30		S2	19	12N	26E	PETROLEUM
3	116.10		S2	18	12N	26E	PETROLEUM
4	148.00		N2	19	12N	26E	PETROLEUM
5	30.00		S2SW	17	12N	26E	PETROLEUM
6	111.80		NW	20	12N	26E	PETROLEUM
7	3.00		NW	20	12N	26E	PETROLEUM
8	77.80		N2	30	12N	26E	PETROLEUM
9	46.80		N2	24	12N	25E	PETROLEUM
<b>Total:</b>	<b>652.80</b>						

<b>Geocodes/Valid:</b>	55-2146-24-1-01-01-0000 - Y	55-2147-17-3-03-01-0000 - Y
	55-2147-18-3-01-01-0000 - Y	55-2147-18-4-01-01-0000 - Y
	55-2147-19-1-04-01-0000 - Y	55-2147-19-2-01-01-0000 - Y
	55-2147-20-2-01-01-0000 - Y	55-2147-30-2-01-01-0000 - Y

**Remarks:**

WATER RIGHT CLAIM NOS. 40B 02884400, 40B 02884500, 40B 12603100 ARE ASSOCIATED. THEY HAVE OVERLAPPING PLACES OF USE.

THE WATERS APPROPRIATED FROM POINT OF DIVERSION #1 SHALL NOT EXCEED 1200 GALLONS PER MINUTE UP TO 178.8 ACRE-FEET PER ANNUM. THIS IS THE COMBINED USAGE FROM THIS POINT OF DIVERSION FOR BOTH STATEMENTS OF CLAIM 40B-28844-00 & 40B-28845-00.

THERE IS A STIPULATION ENTERED INTO BY THE PARTIES THAT HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED OR ENFORCEABLE BY THIS DEPARTMENT.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 18941 RECEIVED 01/20/2005.