

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 28845-00 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

SILVER SAGE RANCH
3075 WINNETT RD
ROUNDUP, MT 59072

DIXIE R IVERSON
3056 WINNETT RD
ROUNDUP, MT 59072-7001

DONALD E LAGESCHULTE
1926 LUND RD
WINNETT, MT 59087-8722

MARYELLEN T LAGESCHULTE
417 S HIGH ST
LEWISTOWN, MT 59457-1917

SKY HOOK RANCH
3060 WINNETT RD
ROUNDUP, MT 59072-7000

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: JULY 10, 1884
Enforceable Priority Date: JULY 10, 1884

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

Maximum Flow Rate: 4.25 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
Period of Diversion: MARCH 15 TO NOVEMBER 19						
Diversion Means: HEADGATE						
3		NESENW	23	12N	25E	PETROLEUM
Period of Diversion: MARCH 15 TO NOVEMBER 19						
Diversion Means: HEADGATE						
4		NESWNW	20	12N	26E	PETROLEUM
Period of Diversion: MARCH 15 TO NOVEMBER 19						
Diversion Means: PUMP						
5		NESWNW	20	12N	26E	PETROLEUM
Period of Diversion: MARCH 15 TO NOVEMBER 19						
Diversion Means: PUMP						
6		SWSENW	24	12N	25E	PETROLEUM
Period of Diversion: MARCH 15 TO NOVEMBER 19						
Diversion Means: 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
Total:	652.80						

Geocodes/Valid:	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.