

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: 41M 32022-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: NEW & IMPROVED HAGER RANCH LLC
PO BOX 75
PENDROY, MT 59467

Priority Date: NOVEMBER 1, 1893

Enforceable Priority Date: NOVEMBER 1, 1893

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 3.45 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: 91.00

Source Name: DUPUYER 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		SESENW	24	28N	8W	PONDERA

Period of Diversion: MAY 15 TO AUGUST 15

Diversion Means: HEADGATE

Ditch Name: DEAN-BURD-LEACH DITCH

Period of Use: MAY 15 to AUGUST 15

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	3.00		SWSESW	18	28N	7W	PONDERA
2	8.00		SESWSW	18	28N	7W	PONDERA
3	7.00		SWSWSW	18	28N	7W	PONDERA
4	4.00		NWNENW	19	28N	7W	PONDERA
5	7.00		NENWNW	19	28N	7W	PONDERA
6	10.00		NWNWNW	19	28N	7W	PONDERA
7	10.00		SESESE	13	28N	8W	PONDERA
8	2.00		SWSESE	13	28N	8W	PONDERA
9	8.00		NENENE	24	28N	8W	PONDERA
10	3.00		SWNENE	24	28N	8W	PONDERA
11	1.00		NWNWNE	24	28N	8W	PONDERA
12	8.00		SENWNE	24	28N	8W	PONDERA
13	9.00		SWNWNE	24	28N	8W	PONDERA
14	7.00		NESWNE	24	28N	8W	PONDERA
15	4.00		NWSWNE	24	28N	8W	PONDERA
Total:	91.00						

Geocodes/Valid: 26-3982-13-4-04-01-0000 - Y 26-3982-24-1-01-01-0000 - Y
26-3983-18-3-03-01-0000 - Y 26-3983-19-2-02-01-0000 - Y

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/11/2011: IRRIGATION TYPE,
POINT OF DIVERSION,.

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

OWNERSHIP UPDATE RECEIVED

Remarks:

OWNERSHIP UPDATE TYPE 608 # 89680 RECEIVED 07/15/2011.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/23/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY DARYLE AND PAMELA R SWANSON ETAL.

THE PONDERA COUNTY WATER RESOURCES SURVEY (1964) APPEARS TO INDICATE 34.57 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 278-93 , DATED 08/03/1978 , APPEARS TO INDICATE 50.45 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.