

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:** 43P 2483-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** VICTORY IRRIGATION DIST  
PO BOX 49  
CUSTER, MT 59024

THIS IRRIGATION DISTRICT WAS ESTABLISHED UNDER TITLE 85, CHAPTER 7, MCA.

THE VICTORY IRRIGATION DISTRICT BOUNDARY WAS EXTENDED BY THE THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY, CASE NO. 7448, DATED APRIL 21, 2000.

**Priority Date:** SEPTEMBER 9, 1908

**Enforceable Priority Date:** SEPTEMBER 9, 1908

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 90.00 CFS

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

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 3,199.60

**Source Name:** BIGHORN 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		SESWE	5	3N	34E	BIG HORN

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** VICTORY DITCH

**Period of Use:** APRIL 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	152.90			1	3N	33E	BIG HORN
2	68.50		N2	12	3N	33E	BIG HORN
3	32.10		W2W2	5	3N	34E	BIG HORN
4	157.00			6	3N	34E	BIG HORN
5	240.20			7	3N	34E	BIG HORN
6	26.70		W2NE	3	4N	34E	YELLOWSTONE
7	214.50		W2	3	4N	34E	YELLOWSTONE
8	123.40		E2E2	4	4N	34E	YELLOWSTONE
9	104.30		SW	4	4N	34E	YELLOWSTONE
10	23.80		SE	5	4N	34E	YELLOWSTONE
11	61.90		NE	8	4N	34E	YELLOWSTONE
12	187.20		E2	9	4N	34E	YELLOWSTONE
13	67.50		NW	9	4N	34E	YELLOWSTONE
14	6.20		SESW	9	4N	34E	YELLOWSTONE
15	160.40		W2	10	4N	34E	YELLOWSTONE
16	279.50		N2	16	4N	34E	YELLOWSTONE
17	65.10		N2SE	16	4N	34E	YELLOWSTONE
18	134.40		SW	16	4N	34E	YELLOWSTONE
19	89.20		E2	17	4N	34E	YELLOWSTONE
20	288.80		E2	20	4N	34E	YELLOWSTONE
21	43.00		E2W2	20	4N	34E	YELLOWSTONE
22	91.40		NW	21	4N	34E	YELLOWSTONE
23	90.20		E2	29	4N	34E	YELLOWSTONE
24	58.90		E2NW	29	4N	34E	YELLOWSTONE
25	10.10		W2W2NW	29	4N	34E	YELLOWSTONE
26	62.40		SW	29	4N	34E	YELLOWSTONE

**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>
27	137.80		N2	30	4N	34E	YELLOWSTONE
28	1.00		SESESE	30	4N	34E	YELLOWSTONE
29	66.80		E2	31	4N	34E	YELLOWSTONE
30	21.20		NWNW	32	4N	34E	YELLOWSTONE
31	39.30		SWSW	32	4N	34E	YELLOWSTONE
32	11.80		E2SESE	32	5N	34E	YELLOWSTONE
33	82.10		S2	33	5N	34E	YELLOWSTONE
<b>Total:</b>	3,199.60						

**Geocodes/Valid:** -- NO VALID GEOCODES --

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/12/2003: IRRIGATION TYPE, PERIOD OF USE.

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

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

THE YELLOWSTONE COUNTY WATER RESOURCES SURVEY ( 1943 ) APPEARS TO INDICATE 1431.4 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

ACCORDING TO INFORMATION IN THE CLAIM FILE, AN EXPANSION IN THE NUMBER OF IRRIGATED ACRES HAS TAKEN PLACE. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

THIS CLAIM DOES NOT APPEAR TO REFLECT THE WATER RIGHT AS IT WAS BEFORE JULY 1, 1973. INFORMATION AVAILABLE INDICATES A POST-JUNE 30, 1973 CHANGE IN PLACE OF USE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED ON THE FILED NOTICE OF APPROPRIATION IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.