

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:** 41H 126929-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** VALLEY VIEW GOLF CLUB  
302 E KAGY BLVD  
BOZEMAN, MT 59715

**Priority Date:** DECEMBER 31, 1885

**Enforceable Priority Date:** DECEMBER 31, 1885

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 1.25 CFS

**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:** 127.00

**Source Name:** NASH SPRING 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		NESENW	19	2S	6E	GALLATIN

**Period of Diversion:** APRIL 1 TO NOVEMBER 4

**Diversion Means:** HEADGATE

2		SESENW	19	2S	6E	GALLATIN
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**Period of Diversion:** APRIL 1 TO NOVEMBER 4

**Diversion Means:** HEADGATE

3		W2SENW	19	2S	6E	GALLATIN
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**Period of Diversion:** APRIL 1 TO NOVEMBER 4

**Diversion Means:** DAM

CLAIMANT HAS SECONDARY POINTS OF DIVERSION IN THE SENENW AND THE NWSWNE OF SEC 19 TWP 02S RGE 06E WHERE PUMPS ARE USED AS THE MEANS OF DIVERSION.

**Reservoir:** OFF STREAM **Reservoir Name** #12 FAIRWAY RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESENW	19	2S	6E	GALLATIN

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 6.00 FEET

**Surface Area:** 0.48 ACRES

**Current Capacity:** 4.40 ACRE-FEET

**Reservoir:** OFF STREAM **Reservoir Name** # 4 FAIRWAY RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNWNE	19	2S	6E	GALLATIN

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 10.00 FEET

**Surface Area:** 1.46 ACRES

**Current Capacity:** 7.30 ACRE-FEET

**Reservoir:** OFF STREAM **Reservoir Name** # 5 FAIRWAY RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2SWNE	19	2S	6E	GALLATIN

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 12.00 FEET

**Surface Area:** 1.92 ACRES

**Current Capacity:** 9.60 ACRE-FEET

**Reservoir:** ON STREAM **Reservoir Name** # 7 FAIRWAY RESERVOIR  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
W2SENW 19 2S 6E GALLATIN

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 3.00 FEET

**Surface Area:** 0.60 ACRES

**Current Capacity:** 0.90 ACRE-FEET

ALL OFF STREAM RESERVOIRS ARE ADDITIONALLY SUPPLIED WITH WATER FROM UNDERGROUND SPRINGS, ARE FLOW THROUGH, WITH NO INCIDENTAL PURPOSE.

**Period of Use:** APRIL 1 to NOVEMBER 4

**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	4.00		SESESW	18	2S	6E	GALLATIN
2	3.00		SWSWSE	18	2S	6E	GALLATIN
3	20.00		NWNE	19	2S	6E	GALLATIN
4	30.00		NENW	19	2S	6E	GALLATIN
5	29.00		SENE	19	2S	6E	GALLATIN
6	36.00		SWNE	19	2S	6E	GALLATIN
7	5.00		W2SENE	19	2S	6E	GALLATIN
<b>Total:</b>	127.00						

**Geocodes/Valid:** 06-0799-18-3-05-02-0000 - Y

06-0799-19-1-01-01-0000 - Y

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE 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.

126926-00 126927-00 126928-00 126929-00 126930-00 126931-00 126932-00  
126933-00 138764-01

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

THE TIMELY FILED OBJECTION OF DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE POINT OF DIVERSION. BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.