

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: 43QJ 10198-00 STATEMENT OF CLAIM
Version: 2 -- 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:
BIG DITCH CO INC
1555 CAMPUS WAY STE F
BILLINGS, MT 59102

HIGH DITCH CO INC
1555 CAMPUS WAY STE F
BILLINGS, MT 59102

Priority Date: SEPTEMBER 11, 1883
Enforceable Priority Date: SEPTEMBER 11, 1883

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

Maximum Flow Rate: 650.00 CFS

Maximum Volume:
Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 29,423.90

Source Name: YELLOWSTONE 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		NENWSE	12	3S	21E	STILLWATER

Period of Diversion: APRIL 1 TO NOVEMBER 4
Diversion Means: HEADGATE W/DITCH OR PIPELINE/FLOOD AND DIKE

Reservoir: OFF STREAM **Reservoir Name** POND #1
Govt Lot **Qtr Sec** **Sec** **Twp** **Rge** **County**
SWNE 2 1S 25E YELLOWSTONE

Surface Area: 3.27 ACRES
Current Capacity: 22.80 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** POND #2
Govt Lot **Qtr Sec** **Sec** **Twp** **Rge** **County**
E2SWNE 2 1S 25E YELLOWSTONE

Surface Area: 2.52 ACRES
Current Capacity: 17.10 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** POND #3
Govt Lot **Qtr Sec** **Sec** **Twp** **Rge** **County**
W2SENE 2 1S 25E YELLOWSTONE

Surface Area: 5.36 ACRES
Current Capacity: 40.60 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** POND #4
Govt Lot **Qtr Sec** **Sec** **Twp** **Rge** **County**
W2SWNW 1 1S 25E YELLOWSTONE

Surface Area: 1.30 ACRES
Current Capacity: 7.90 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** POND #5
Govt Lot **Qtr Sec** **Sec** **Twp** **Rge** **County**
S2SWNW 1 1S 25E YELLOWSTONE

Surface Area: 1.06 ACRES
Current Capacity: 6.30 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** POND #6
 Govt Lot **Qtr Sec** **Sec** **Twp** **Rge** **County**
 E2SWNW 1 1S 25E YELLOWSTONE
Surface Area: 2.38 ACRES
Current Capacity: 16.50 ACRE-FEET
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	130.00		E2	36	1N	24E	YELLOWSTONE
2	60.00		S2	25	1N	25E	YELLOWSTONE
3	177.00			30	1N	25E	YELLOWSTONE
4	369.00			31	1N	25E	YELLOWSTONE
5	430.00			32	1N	25E	YELLOWSTONE
6	164.20		N2	33	1N	25E	YELLOWSTONE
7	320.00		S2	33	1N	25E	YELLOWSTONE
8	605.00			34	1N	25E	YELLOWSTONE
9	5.00		SWNE	34	1N	25E	YELLOWSTONE
10	410.00			35	1N	25E	YELLOWSTONE
11	35.00		N2	36	1N	25E	YELLOWSTONE
12	37.50			30	1N	26E	YELLOWSTONE
13	10.00		W2SW	32	1N	26E	YELLOWSTONE
14	157.00		S2	35	1S	23E	YELLOWSTONE
15	43.00		E2	10	1S	24E	YELLOWSTONE
16	98.00			11	1S	24E	YELLOWSTONE
17	259.00			12	1S	24E	YELLOWSTONE
18	330.50			13	1S	24E	YELLOWSTONE
19	156.00		SE	13	1S	24E	YELLOWSTONE
20	159.00			14	1S	24E	YELLOWSTONE
21	22.50		SE	23	1S	24E	YELLOWSTONE
22	559.50			24	1S	24E	YELLOWSTONE
23	640.00			25	1S	24E	YELLOWSTONE
24	164.00			26	1S	24E	YELLOWSTONE
25	29.00		SE	34	1S	24E	YELLOWSTONE
26	300.50		E2	35	1S	24E	YELLOWSTONE
27	251.00		W2	35	1S	24E	YELLOWSTONE
28	640.00			36	1S	24E	YELLOWSTONE
29	80.00		NW	1	1S	25E	YELLOWSTONE
30	320.00		N2	2	1S	25E	YELLOWSTONE
31	45.00		SW	2	1S	25E	YELLOWSTONE
32	640.00			3	1S	25E	YELLOWSTONE
33	628.50			4	1S	25E	YELLOWSTONE
34	635.00			5	1S	25E	YELLOWSTONE
35	224.00			6	1S	25E	YELLOWSTONE
36	122.00		SE	7	1S	25E	YELLOWSTONE
37	124.00		SW	7	1S	25E	YELLOWSTONE
38	635.00			8	1S	25E	YELLOWSTONE
39	640.00			9	1S	25E	YELLOWSTONE
40	640.00			10	1S	25E	YELLOWSTONE
41	600.00			11	1S	25E	YELLOWSTONE
42	150.00		NW	12	1S	25E	YELLOWSTONE
43	45.00		NW	14	1S	25E	YELLOWSTONE
44	640.00			15	1S	25E	YELLOWSTONE
45	640.00			16	1S	25E	YELLOWSTONE
46	640.00			17	1S	25E	YELLOWSTONE
47	640.00			18	1S	25E	YELLOWSTONE
48	640.00			19	1S	25E	YELLOWSTONE
49	640.00			20	1S	25E	YELLOWSTONE
50	635.00			21	1S	25E	YELLOWSTONE
51	290.00			22	1S	25E	YELLOWSTONE
52	272.00			28	1S	25E	YELLOWSTONE
53	640.00			29	1S	25E	YELLOWSTONE
54	640.00			30	1S	25E	YELLOWSTONE
55	600.00			31	1S	25E	YELLOWSTONE
56	372.00			32	1S	25E	YELLOWSTONE
57	178.00			25	2S	22E	STILLWATER
58	117.00		S2	26	2S	22E	STILLWATER
59	4.00		SE	27	2S	22E	STILLWATER
60	69.00		SE	33	2S	22E	STILLWATER

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
61	272.00			34	2S	22E	STILLWATER
62	139.50		N2	35	2S	22E	STILLWATER
63	348.00			36	2S	22E	STILLWATER
64	405.00			2	2S	23E	YELLOWSTONE
65	346.00			3	2S	23E	YELLOWSTONE
66	85.00		NE	10	2S	23E	YELLOWSTONE
67	8.00		NW	11	2S	23E	YELLOWSTONE
68	90.00		S2	11	2S	23E	YELLOWSTONE
69	387.50			12	2S	23E	YELLOWSTONE
70	368.00			13	2S	23E	YELLOWSTONE
71	613.00			14	2S	23E	YELLOWSTONE
72	316.00			15	2S	23E	YELLOWSTONE
73	65.00		SE	20	2S	23E	STILLWATER
74	344.00			21	2S	23E	STILLWATER
75	342.00			22	2S	23E	STILLWATER
76	80.00		N2	23	2S	23E	YELLOWSTONE
77	34.00		NW	28	2S	23E	STILLWATER
78	451.00			29	2S	23E	STILLWATER
79	352.00			30	2S	23E	STILLWATER
80	418.00			31	2S	23E	STILLWATER
81	75.00		N2	32	2S	23E	STILLWATER
82	335.00			1	2S	24E	YELLOWSTONE
83	606.00			2	2S	24E	YELLOWSTONE
84	140.00		NE	3	2S	24E	YELLOWSTONE
85	263.00		S2	3	2S	24E	YELLOWSTONE
86	58.00		SE	4	2S	24E	YELLOWSTONE
87	58.00		SW	4	2S	24E	YELLOWSTONE
88	104.00		S2	5	2S	24E	YELLOWSTONE
89	262.00		N2	7	2S	24E	YELLOWSTONE
90	290.00		S2	7	2S	24E	YELLOWSTONE
91	570.00			8	2S	24E	YELLOWSTONE
92	80.00		NE	9	2S	24E	YELLOWSTONE
93	350.00			10	2S	24E	YELLOWSTONE
94	150.00		SW	11	2S	24E	YELLOWSTONE
95	54.00		NW	14	2S	24E	YELLOWSTONE
96	320.00		N2	15	2S	24E	YELLOWSTONE
97	157.70		N2	17	2S	24E	YELLOWSTONE
98	320.00		N2	18	2S	24E	YELLOWSTONE
99	5.00		NW	3	3S	22E	STILLWATER
100	15.00		NW	8	3S	22E	STILLWATER
Total:	29,423.90						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

STATEMENT OF CLAIM 43QJ-W010198-00 AND PROVISIONAL PERMIT 43QJ-P082021-00 ARE ASSOCIATED. THEY HAVE OVERLAPPING PLACES OF USE.

WATER IS PUMPED FROM THE PONDS FOR GOLF COURSE IRRIGATION.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W038235-00 AND W010198.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 24580 RECEIVED 09/02/2005.