

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:** 40A 110020-00 STATEMENT OF CLAIM  
**Version:** 3 -- 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:** MCFARLAND WHITE RANCH INC  
PO BOX 235  
TWO DOT, MT 59085-0235

**Priority Date:** JUNE 15, 1900  
**Enforceable Priority Date:** JUNE 15, 1900

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

**Maximum Flow Rate:** 12.50 CFS  
**Historical Flow Rate:** 12.50 CFS  
**Maximum Volume:** 412.80 AC-FT  
**Climatic Area:** 4 - MODERATELY LOW

**Historical Diverted Volume:** 647.20 AC-FT

**Historical Consumptive Volume:** 190.30 AC-FT

**Maximum Acres:** 477.90

**Source Name:** BIG ELK 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		SESWSW	12	7N	13E	WHEATLAND

**Period of Diversion:** APRIL 15 TO OCTOBER 1  
**Diversion Means:** HEADGATE

2		NWSENW	35	8N	13E	WHEATLAND
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**Period of Diversion:** APRIL 15 TO OCTOBER 1 **Flow Rate:** 4.68 CFS  
**Diversion Means:** PUMP/HEADGATE W/DITCH OR PIPELINE

**Period of Use:** APRIL 15 to OCTOBER 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	66.10		E2	25	8N	13E	WHEATLAND
2	105.20		SW	25	8N	13E	WHEATLAND
3	9.70		SESE	26	8N	13E	WHEATLAND
4	175.90		E2	35	8N	13E	WHEATLAND
5	4.70		NE	36	8N	13E	WHEATLAND
6	116.30		W2	36	8N	13E	WHEATLAND
<b>Total:</b>	<b>477.90</b>						

**Geocodes/Valid:** 44-1704-25-1-01-01-0000 - Y 44-1704-35-2-01-01-0000 - Y  
44-1704-36-1-01-01-0000 - Y

**Remarks:**

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

THE MAXIMUM COMBINED FLOW RATE AND VOLUME FOR THIS RIGHT AND 40A 30002022 IS 14.68 CFS UP TO 630.6 AF ANNUALLY. THE PIVOT OPERATION USES A PUMPING RATE OF UP TO 4.68 CFS TO

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**Remarks:**

DIVERT A SEASONAL VOLUME OF UP TO 373.3 AF, WHILE THE FLOOD SYSTEM REQUIRES A FLOW RATE OF UP TO 10 CFS TO APPLY 257 AF IN ANY GIVEN YEAR.

**\*\*WATER MEASUREMENT AND RECORDS REQUIRED**

THE APPROPRIATOR SHALL INSTALL DEPARTMENT-APPROVED MEASURING DEVICES IN THE FREESER-MONTGOMERY DITCH AND DIVERSION WORKS FOR THE TWO CENTER PIVOTS. THE LOCATION OF THE MEASURING DEVICES MUST BE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICES ARE IN PLACE AND OPERATING. THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED BY EACH OF THE DIVERSION FACILITIES, INCLUDING THE PERIOD OF TIME.

RECORDS OF APPROPRIATIONS FOR EACH SET OF DIVERSION WORKS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT RECORDS MAY BE CAUSE FOR REVOCATION OF THE AUTHORIZATION. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICES SO THEY ALWAYS OPERATE PROPERLY AND MEASURE THE FLOW RATE AND VOLUME OF WATER ACCURATELY.

SUBMIT RECORDS TO:  
LEWISTOWN WATER RESOURCES REGIONAL OFFICE  
613 NE MAIN ST, SUITE E  
LEWISTOWN, MT  
PHONE: 406-538-7459  
FAX: 406-538-7012