

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: 43Q 124009-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: MY GREEN EARTH LP
450 RACETRACK RD
WASHINGTON, PA 15301

Priority Date: AUGUST 3, 1972

Enforceable Priority Date: AUGUST 3, 1972

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 7,000.00 GPM

PUMP 1 AND PUMP 2 EACH HAVE A PUMPING CAPACITY OF 3500 GPM, FOR A TOTAL OF 7000 GPM.

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: 660.00

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 | | SWSWNW | 27 | 3N | 28E | YELLOWSTONE |

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: PUMP

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE PART OF THE FOLLOWING DESCRIBED FARM OPERATION OF CONVEYING WATER TO THE LAND. THE INITIAL FILLING OF THE RESERVOIR (SPRINKLER POND) FROM THE SPRING RUNOFF IS UTILIZED TO IRRIGATE THE PLACE OF USE. WHEN THAT STORAGE IS CONSUMED, THEN WASTE WATER IS DIVERTED FORM THE TERMINUS OF THE BILLINGS BENCH WATER ASSOCIATION DITCH ["BBWA DITCH"] TO THE RESERVOIR AND A POND (LAKE JANE) LOCATED IN THE NW OF SECTION 22, T3N, R28E, FROM WHICH IT IS PUMPED TO THE PLACE OF USE. WHEN THERE IS INSUFFICIENT WASTE AND SEEPAGE WATER FROM THE BBWA DITCH, WATER IS DIVERTED DIRECTLY FROM THE YELLOWSTONE RIVER AT THE PUMP STATION LOCATED IN THE NW OF SECTION 27, T3N, R28E AND DISTRIBUTED THROUGH THE RESERVOIR AND POND TO THE PLACE OF USE. 43Q 124007-00, 43Q 124008-00, 43Q 124009-00

THERE ARE TWO PUMPS AT THE POINT OF DIVERSION.

Period of Use: APRIL 1 to OCTOBER 31

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 | 23.50 | | SWSE | 15 | 3N | 28E | YELLOWSTONE |
| 2 | 5.00 | | SESW | 15 | 3N | 28E | YELLOWSTONE |
| 3 | 70.00 | | NE | 21 | 3N | 28E | YELLOWSTONE |
| 4 | 30.00 | | NENW | 21 | 3N | 28E | YELLOWSTONE |
| 5 | 25.00 | | SENW | 21 | 3N | 28E | YELLOWSTONE |
| 6 | 138.50 | | SE | 21 | 3N | 28E | YELLOWSTONE |
| 7 | 5.00 | | NENSW | 21 | 3N | 28E | YELLOWSTONE |
| 8 | 12.00 | | NE | 22 | 3N | 28E | YELLOWSTONE |
| 9 | 49.70 | | NW | 22 | 3N | 28E | YELLOWSTONE |
| 10 | 98.80 | | SE | 22 | 3N | 28E | YELLOWSTONE |
| 11 | 50.60 | | SW | 22 | 3N | 28E | YELLOWSTONE |
| 12 | 3.00 | | NWNWNE | 27 | 3N | 28E | YELLOWSTONE |
| 13 | 3.00 | | NENENW | 27 | 3N | 28E | YELLOWSTONE |
| 14 | 38.90 | | W2NW | 27 | 3N | 28E | YELLOWSTONE |
| 15 | 107.00 | | NE | 28 | 3N | 28E | 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> |
|------------------------|--------------|-----------------------------|----------------|------------|------------|-----------------------------|---------------|
| Total: | 660.00 | | | | | | |
| Geocodes/Valid: | | 03-1234-15-1-01-01-0000 - Y | | | | 03-1234-21-1-01-01-0000 - Y | |
| | | 03-1234-22-1-01-01-0000 - Y | | | | 03-1234-27-2-01-02-0000 - 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.

124007-00 124008-00 124009-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/24/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/23/98.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 101925 RECEIVED 05/24/2012.