

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: 41S 135369-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: AMERICAN PRAIRIE FOUNDATION
PO BOX 908
BOZEMAN, MT 59771-0908

Priority Date: MAY 1, 1902

Enforceable Priority Date: MAY 1, 1902

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 0.87 CFS

Maximum Volume: 121.90 AC-FT

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 23.00

Source Name: UNNAMED TRIBUTARY OF THE BIG SAG

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		NWSWSW	24	22N	15E	FERGUS

Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSWSW	24	22N	15E	FERGUS

Diversion to Reservoir: DIVERSION # 1

Period of Use: MAY 1 to SEPTEMBER 30

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	23.00		S2SW	24	22N	15E	FERGUS

Total: 23.00

Geocodes/Valid: 00-0000-00-0-00-00-0000 - Y 08-3271-24-3-01-01-0000 - Y

Remarks:

THE CLAIMED IRRIGATED ACRES AND PLACE OF USE HAVE BEEN RE-EXAMINED BY THE DNRC UNDER MONTANA WATER COURT ORDER DATED AUGUST 29, 1997. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/24/86.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/23/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/17/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/09/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/01/96.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/17/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 8190 RECEIVED 03/10/2003.

OWNERSHIP UPDATE TYPE DOR # 142607 RECEIVED 05/06/2016.

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

THE MAXIMUM NUMBER OF ACRES CLAIMED ON THE ORIGINAL STATEMENT OF CLAIM IS 90.00 ACRES. THE DNRC'S RE-EXAMINATION WAS OF THESE ORIGINAL CLAIMED ACRES.

Remarks:

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.

USDA AERIAL PHOTOGRAPH NO. 30027-278-116, DATED 09/25/79, APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE FERGUS COUNTY WATER RESOURCES SURVEY (1970) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.