

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: 42M 154375-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: JEFFREY W BERGER
PO BOX 1104
WILLISTON, ND 58802-1104

TAMI M BERGER
PO BOX 1104
WILLISTON, ND 58802-1104

Priority Date: MAY 1, 1961
Enforceable Priority Date: MAY 1, 1961

Type of Historical Right: USE

Purpose (use): STOCK

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Maximum Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF CEDAR 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 | | SWNWSE | 1 | 11N | 58E | WIBAUX |

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: DAM

Reservoir: ON STREAM

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
| | SWNWSE | 1 | 11N | 58E | WIBAUX |

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET
Depth: 10.00 FEET
Surface Area: 3.75 ACRES
Current Capacity: 15.00 ACRE-FEET

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 to DECEMBER 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 | | | S2NWSE | 1 | 11N | 58E | WIBAUX |

Geocodes/Valid: 52-2073-01-1-01-01-0000 - Y

Remarks:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/06/1995.
WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/26/2000.
WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/30/2000.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 18710 RECEIVED 01/06/2005.
OWNERSHIP UPDATE TYPE 608 # 27629 RECEIVED 12/09/2005.
OWNERSHIP UPDATE TYPE DOR # 113757 RECEIVED 04/09/2013.