

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: 41F 148622-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Version Status: ACTIVE

Owners: FIVE WELLS OF THE WEST. LLC  
PO BOX 513  
CLIFTON, TX 76634

Priority Date: JUNE 1, 1888

Enforceable Priority Date: JUNE 1, 1888

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Maximum Flow Rate: 394.94 GPM

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 103.00

Source Name: NORTH MEADOW 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		NWSWSW	34	3S	2W	MADISON

Period of Diversion: MAY 15 TO OCTOBER 1

Diversion Means: HEADGATE

Ditch Name: MC CALLUM DITCH

Period of Use: MAY 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	25.00		SESW	34	3S	2W	MADISON
2	37.00		NE	3	4S	2W	MADISON
3	41.00			2	4S	2W	MADISON

Total: 103.00

Geocodes/Valid: 25-0596-02-3-01-01-0000 - Y 25-0596-02-3-01-03-0000 - Y  
25-0596-03-1-01-01-0000 - Y 25-0691-34-3-01-01-0000 - Y  
25-0691-34-3-01-05-0000 - Y

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**Remarks:**

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/02/96.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/27/97.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/15/00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/15/00.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 148912 RECEIVED 06/30/2016.

POINT OF DIVERSION WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON NORTH MEADOW CREEK WITH A PRIORITY DATE THAT MAY PREDATE CASE NO 1236, MADISON COUNTY. IF NO OBJECTIONS ARE FILED TO PRIORITY DATE OR TYPE OF HISTORICAL RIGHT, THESE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS REMARK WILL BE REMOVED.

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: 41F 30147625 GROUND WATER CERTIFICATE

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: FIVE WELLS OF THE WEST, LLC  
P.O. BOX 513  
CLIFTON, TX 76634

Priority Date: JULY 5, 2019 at 12:52 P.M.

Enforceable Priority Date: JULY 5, 2019 at 12:52 P.M.

Purpose (Use): LAWN AND GARDEN  
MULTIPLE DOMESTIC

Maximum Flow Rate: 10.00 GPM

Maximum Volume: 4.50 AC-FT

Maximum Acres: 1.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

**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		NESESW	34	3S	2W	MADISON

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Subdivision: TOBACCO ROOT MOUNTAIN RANCH TRACT/LOT: A-1

Well Location: 952 N MEADOW CREEK RD

Purpose (Use): LAWN AND GARDEN

Volume: 2.50 AC-FT

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	1.00		NESESW	34	3S	2W	MADISON

Subdivision: TOBACCO ROOT MOUNTAIN RANCH TRACT/LOT A-1

Total: 1.00

Purpose (Use): MULTIPLE DOMESTIC

Households: 2

Volume: 2.00 AC-FT

Period of Use: JANUARY 1 to DECEMBER 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>
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1	NESESW	34	3S	2W	MADISON
Subdivision:	TOBACCO ROOT MOUNTAIN RANCH TRACT/LOT A-1				
Geocodes/Valid:	25-0691-34-3-01-05-0000 - Y				



RECEIVED

Form No. 602 R 12/2016

# NOTICE OF COMPLETION OF GROUNDWATER DEVELOPMENT

Use this form for completed groundwater developments where the water has been put to use for the purposes identified with a maximum use of 35 GPM not to exceed 10 AC-FT per year.

Incomplete forms will be returned.

**Filing Fee \$125.00**

*Make checks payable to DNRC.*

JUL 05 2016

DNRC  
Bozeman Water Resources  
FOR DEPARTMENT USE ONLY

Notice No. 30147625 Basin 41F  
Priority Date \_\_\_\_\_ Time 12:52 AM - PM  
Rec'd By Bm  
Fee Rec'd \$ 125 Check No. 371402  
Deposit Receipt # BUS0001782  
Payor (if different from name(s) listed in item 1 below)  
Cowley Fleck  
Refund \$ \_\_\_\_\_ Date \_\_\_\_\_  
Deficiency Letter Sent \_\_\_\_\_

- ⇒ Your priority is determined by the date of filing. If it is determined this form was improperly filed, your priority date may be changed.
- ⇒ If your development is within a Controlled Groundwater Area, this form cannot be used. Contact your Regional Office for more information.

1. **NAME(S)** Five Wells of the West, LLC 410467  
**MAILING ADDRESS** P.O. Box 513  
**CITY** Clifton **STATE** TX **ZIP** 76634  
**PHONE #: HOME** 406-682-3700 **WORK** \_\_\_\_\_ **CELL** 254-913-2002  
**EMAIL ADDRESS** swells01@icloud.com

2. HAS THIS WATER BEEN PUT TO USE FOR THE PURPOSES ON WHICH YOU ARE FILING?  
☒ Yes ☐ No (IF YOU ANSWER NO, YOU CANNOT FILE THIS FORM AT THIS TIME.)

3. **DIVERSION USED TO OBTAIN GROUNDWATER**  
☒ Well – Attach well log, if available. *Water Well Contractor Name:* Van Dyken Drilling Inc.  
☐ Developed Spring (Excavation performed at the spring location)  
☐ Pit/Pond – Surface Area \_\_\_\_\_ Acres \_\_\_\_\_ Depth \_\_\_\_\_

4. **FLOW RATE USED** 10 GPM (Cannot Exceed 35 GPM)

5. **COMBINATION OR SHARED DEVELOPMENT**  
a. Are there other groundwater developments on your property? ☐ Yes ☒ No  
*If yes, how far away are the existing groundwater developments from this new groundwater development? Provide a DNRC water right number for each.*  
\_\_\_\_\_  
\_\_\_\_\_

b. Is this development used for another water right or by another user? ☐ Yes ☒ No  
*If yes, please explain how and provide a DNRC water right number for each.*  
\_\_\_\_\_  
\_\_\_\_\_

6. **PURPOSE AND PERIOD OF USE:** Check those that apply and answer applicable questions

☒ **Domestic:** Number of homes supplied: 2  
Year round use? ☒ Yes ☐ No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive of each year.



- ☒ **Lawn & Garden:** Include only watered area. Do not include house footprint, driveway, graveled areas, etc.  
Total size of lawn & garden - length x width \_\_\_\_\_ -OR- Number of Acres 1  
April 1 – October 31 ☒ Yes ☐ No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive of each year.

- ☐ **Irrigation:** (Do not include Lawn & Garden Irrigation)  
Type of crop \_\_\_\_\_ Total Crop Acres Irrigated \_\_\_\_\_  
April 1 – October 31 ☐ Yes ☐ No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive of each year.

- ☐ **Stock:**  
Number & type: (Ex: 100 Cows & 1 Horse) \_\_\_\_\_  
Year round use? ☐ Yes ☐ No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive of each year.

- ☐ **Other:** (Do not include purposes described above)  
Describe the purpose of the use \_\_\_\_\_  
Amount of water used \_\_\_\_\_ gallons per day Number of days used \_\_\_\_\_  
Year round use? ☐ Yes ☐ No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive of each year.

**7. POINT OF DIVERSION** – Location of the groundwater development

NE 1/4 SE 1/4 SW 1/4 of Section 34 Township 3 ☐ N ☒ S Range 2 ☐ E ☒ W  
County Madison Tract # A-1 COS # \_\_\_\_\_ Gov't Lot # \_\_\_\_\_  
Subdivision Name Tobacco Root Mountain Ranch Lot \_\_\_\_\_ Block \_\_\_\_\_  
Street Address, including City/State/Zip Code 952 N. Meadow Creek Rd., McAllister, MT 59740

**8. PLACE OF USE** - Enter the 17 digit geocode(s) applicable to the place of use legal land description.  
Geocodes can be found in county records, tax statements, or at <http://svc.mt.gov/msl/mtcadastral/>.

Geocode: 25-0691-34-3-01-05-0000

IS THE PLACE WHERE WATER IS USED THE SAME AS THE POINT OF DIVERSION? ☒ Yes ☐ No

If no, enter the place of use land description below. Attach additional sheets if necessary.

\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 of Section \_\_\_\_ Township \_\_\_\_ ☐ N ☐ S Range \_\_\_\_ ☐ E ☐ W  
County \_\_\_\_\_ Tract # \_\_\_\_\_ COS # \_\_\_\_\_ Gov't Lot # \_\_\_\_\_  
Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_  
Street Address, including City/State/Zip Code \_\_\_\_\_

**9. AFFIDAVIT OF OWNERSHIP OR WRITTEN CONSENT**

I have possessory interest in the property where the water has been put to beneficial use and I have the exclusive property rights in the groundwater development works **OR** I have attached written consent of the person owning the groundwater development works and/or written notification to the land owner pursuant to MCA 85-2-306(1).

**\*\*Please note, you must submit ORIGINAL owner signatures, copies will not be accepted.\*\***

I declare under penalty of perjury & under the laws of the State of Montana that the foregoing is true & correct.

Printed Name\*\* Ran K. Wells, Member

Applicant Signature [Signature] Date: 6/29/19

Printed Name\*\* \_\_\_\_\_

Applicant Signature \_\_\_\_\_ Date: \_\_\_\_\_

Visit <http://dnrc.mt.gov/divisions/water> for additional water right related information.

