

RAICH MONTANA PROPERTIES LLC



Pray Ranch

Pray MT 59065

TRACY RAICH, Broker | Owner 406.223.8418
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NOTICE: The real estate offerings contained herein are subject to errors, omissions, prior sale, change or withdrawal without notice, and approval of purchase by owner. Information regarding land classifications, acreages, carrying capacities, potential profits, etc., are intended only as general guidelines and have been provided by sources deemed reliable, but whose accuracy we cannot guarantee. Prospective buyers should verify all information to their satisfaction.



PRAY RANCH NEAR MILL CREEK
Dated July 17, 2014

LOCATION

This property is located in the coveted Mill Creek drainage on Pray Road, in Pray MT, near Livingston, Montana

LEGAL DESCRIPTION

Mill Creek Ranch Tract I of S/D Plat #213 located in the SW ¼ AND NW ¼ of Section 20, Township 6 South, Range 9 East, Park County Montana

ACREAGE

64 Acres in one parcel

SUMMARY

This beautiful irrigated ranch has much to offer the full-time or part-time buyer seeking a truly special Montana property near Yellowstone National Park, the Yellowstone River, Mill Creek, and downtown Livingston. This is a prime location in Paradise Valley with an immaculately cared for 2700 sf cabin, 64 irrigated acres, pasture and hay ground. This is a productive ranch that is both manageable in size and provides a spectacular private setting with striking mountain views.

The owner hays approximately 30 acres, and runs 40 pair of cattle.

Bring your horses or cattle and recreational gear!

CABIN

Built in Ontario and moved to the site in 1999, the well cared for cabin has 2700 sf (1380 sf on the main floor and 1380 sf in the finished basement). The cabin is constructed with d-locked pine logs (round on the outside and flat on the inside), the first log on the foundation is cedar. All stain used in the interior is a Sansin Natural product. The interior walls are stucco. The roof is asphalt shingle. The he exposed foundation and fireplace clad with manufactured stone.

The cabin has dark stained hardwood floors, Pine ceilings and doors, tile and natural sisal

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flooring. Heat is provided via a forced air furnace w/ heat pump. Central air conditioning, and a central vac system are in place. The fireplace is wood burning, but currently has an electric insert in place, which can be removed. The cabin is electric – no propane.

On the main floor you will find the well-appointed kitchen has butcher-block counters, a copper sink, Viking range and Sub Zero refrigerator. A Frigidaire front-load washer & dryer is located in the laundry room which also has a sink and cabinets. A dining area is off the kitchen with access to one of the covered porches. The main level also has a living room, 2 bedrooms, a ¼ bath with shower and pedestal sink, and a coat closet.

Accessed by a wooden staircase, the lower level has a family room, 2 bonus rooms, a mechanical room, storage room, and one non-conforming bedroom. All of the lower level flooring is natural sisal carpet.

The bath on the main level has a shower and pedestal sink. The bath on the lower level is spacious with a tiled inset tub, a separate shower and pedestal sink.

Stunning views of the Absaroka mountains and the lush flower garden can be enjoyed from the 2 covered porches.

OUTBUILDINGS

The pole barn is 26' X 70' with a metal roof and includes 3 stalls, a heated waterer, large storage area and workshop. The turn out shed is 12' X 24'.

IRRIGATION WATER

The irrigation ditch/pipeline runs along the 3 sides of the 64-acre property. The Mill Creek Ranch Water User's and Homeowner's Association manages the irrigation water and Home Owner's Association, which is comprised of the owners of Lots 1,2,4 & 5. A copy of this document is available upon request.

NOTE: Tracts 2,4 & 5 are owned by one neighbor who has placed these tracts into a conservation easement with The Montana Land Reliance thereby limiting development on two sides of this ranch.

Irrigation water for Lot 1 currently costs the owner \$1,152.00 and is collected with the property taxes by Park County.

IRRIGATION EQUIPMENT

The seller will convey the 3 800' wheel lines and a gun to the buyer at closing.

DOMESTIC WATER

A well that is 340 feet deep with a maximum flow rate of 20 GPM is on the property. The well

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provides domestic water and irrigates the landscaping around the cabin. The well may also be used for stock watering.

SANITATION

The cabin has a private septic system that is permitted for 3 bedrooms.

COVENANTS

Covenants are in force and have been included below.

FENCING & PASTURES

The property is partially fenced on the perimeter, and cross fenced for pastures

EASEMENTS OF RECORD

Utility Easements are in place

Ditch Easements are located on S/D Plat # 213

UTILITIES

Electric is provided by Park Electric Cooperative located in Livingston MT

The owner does not have TV or Wi-Fi Internet service in place (Dial-Up Internet and telephone are in service and other services are available).

HIGHLIGHTS

- Coveted location in the Mill Creek drainage of Paradise Valley
- 64 beautifully maintained acres with irrigated pasture & hay fields
- A lovely well-maintained 2700 sf cabin with extremely nice finishes
- Bordered on 2 sides by conserved land, and a 2964 acre ranch to the east
- Large enough to run 40 pair of cattle and a small hay operation, yet manageable in size
- Privacy and striking views in a lush setting

LIST PRICE

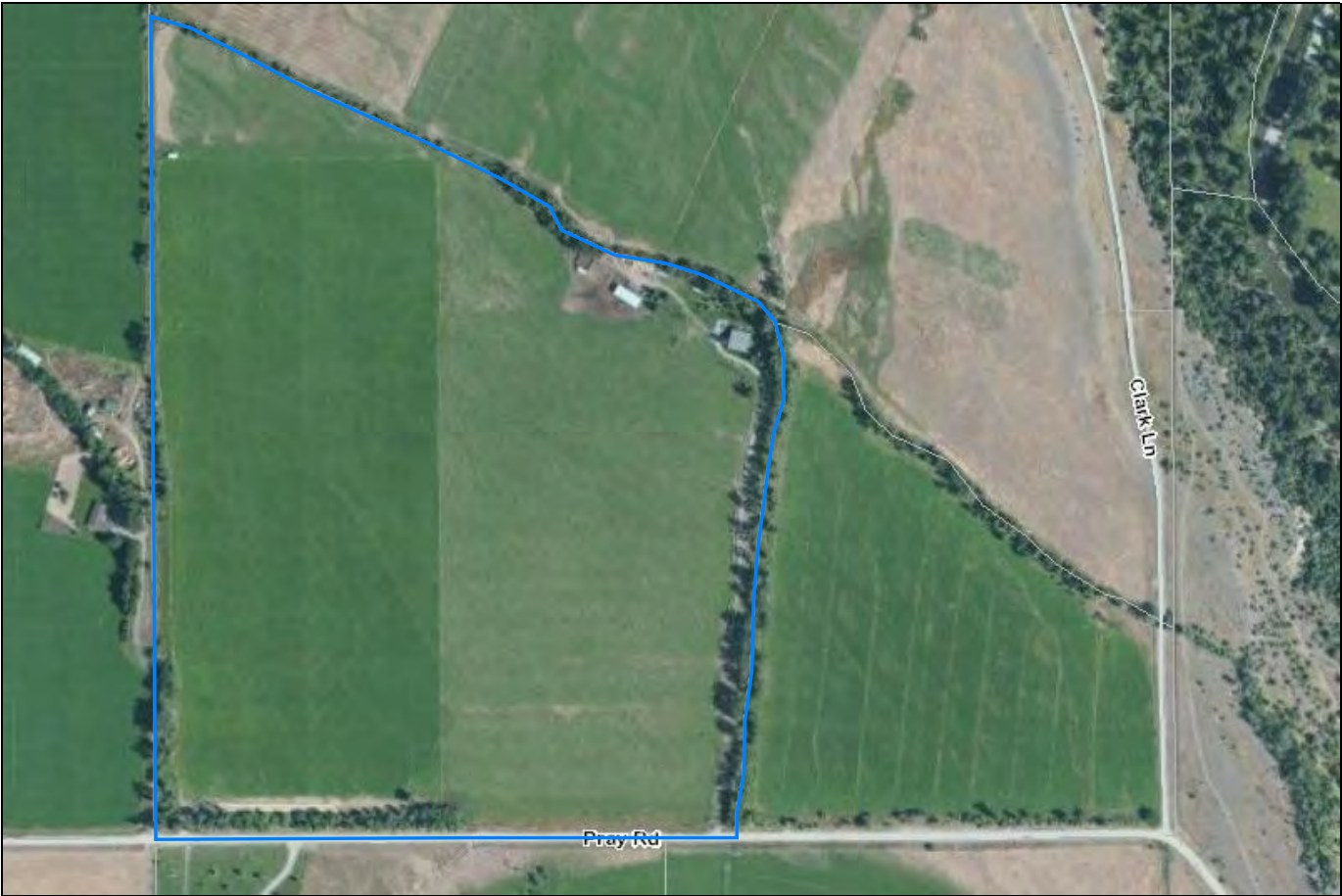
\$1.45 Million

CONTACT

Tracy Raich Listing Agent at 406-223-8418 to schedule a showing

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PROTECTIVE COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS

TO THE PUBLIC: This Declaration made this ____ day of _____, 1996, on a tract of land described as the Mill Creek Ranch located in the W $\frac{1}{2}$ of Section 20, Township 6 South, Range 9 East, Park County, Montana, and more particularly described as Tracts 1, 2, 3, 4 and 5 of Certificate of Survey No. S/D 213.

WHEREAS, it is desired to maintain said above-described real property as hereafter set forth. Now, therefore, the owners of the real property described above for the use and benefit of themselves and any persons claiming and to claim any part of the above-described real property by, through, or under them, hereby declare, represent, agree, restrict and covenant that the use, enjoyment, and ownership of the above-described real property, shall be and the same is restricted and limited:

SUBJECTION OF PROPERTY TO DECLARATIONS:

1. Property Covered: Tracts 1 through 5 of Certificate of Survey No. S/D 213 are subject to all of the provisions, covenants, conditions and restrictions in this declaration.

GENERAL PURPOSES:

1. General Purposes: Declarant now owns certain real property in said section and are imposing these covenants and restrictions on the property as required by the State of Montana and Park County. This property is subject to the agricultural uses, as commonly practiced by the adjoining landowners including but not limited to cropping, irrigation, weed and pest control, and livestock grazing practices.

2. Duration and Terms: The restrictions and limitations herein set forth are to be construed as covenants running with the land and shall be binding on all parties and all persons claiming any part of the above-described real property for a period of twenty (20) years from the date first recorded in the office of the Clerk and Recorder of the County of Park, State of Montana, after which time they shall be automatically extended for a successive period of ten (10) years. These covenants and restrictions cannot be changed except by an instrument in writing signed by a majority of the property owners and approved by the governing body of Park County, and then recorded in the office of the County Clerk and Recorder of Park County, Montana.

3. Severability. Invalidation of any of the restrictions, limitations, or covenants herein set forth by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

4. No Waiver. Failure to enforce any provisions, restrictions, covenants or conditions in this Declaration or in any Supplemental Declaration shall not operate as a waiver of any such provisions, restrictions, covenants or conditions or of any other provisions, restrictions, covenants or conditions.

5. Enforcement: The owner or owners of any of the described real property, including the developer, if it is the owner of any part or portion of said real property may enforce the restrictions and limitations herein set forth by proceedings at law or in equity against any person or persons violating or attempting to violate any of the said restrictions and limitations either to recover damages for such violation or to restrain such violation or attempted violation. If court proceedings are instituted in this declaration, the prevailing party shall be entitled to recover their costs and expense in connection therewith, including reasonable attorney's fees.

6. Successors and Assigns of Developers: This declaration and all the rights, powers and duties thereunder shall be binding upon and enure to the benefit of the successors and assigns of the developer, whether voluntary or involuntary, by operation of law or otherwise. The successors and assigns of the developer shall be bound by this declaration.

PARTICULAR PURPOSES:

A. Particular Purposes: This declaration is executed to define and describe certain land or property classification which will be established in all of said area; to define and describe certain provisions, covenants, conditions and restrictions which may be made applicable to all property within said area; to establish the manner and extent to which property may be made subject to all of the provisions, covenants, conditions and restrictions set forth in this declaration; and to establish the effect of such provisions, covenants, conditions and restrictions.

B. Noxious Weeds. Owner shall file a weed control plan with the Weed Control Board and each tract owner shall perform such action as required to achieve an acceptable level to control noxious weeds as defined by Montana state law and the Weed Control Board in Park County, Montana.

C. Fences: The owner of each tract shall be responsible for the construction and maintenance of boundary fences as provided by Montana Code Annotated, as amended from time to time.

D. Wild Fire Protection/Prevention: The owner of each lot shall be responsible for wild fire prevention on his lot. To this end, it is recommended that the lot owner consult with the rural fire department to determine the best material for roofing

material, siding and other construction methods to best mitigate any wild fire threats. In addition, each lot owner shall be responsible for weed control, tall grass control and shrubbery growth to prevent excessive build up of this combustible material in the event there are wild fires in the area.

E. Ditches/Pipeline: Each lot owner of Lots 1, 2, 4 and 5 recognize and acknowledge that there is a pipeline easement across the lots and that on either side of the centerline of said pipeline there is a fifteen foot (15') easement for purposes of ingress and egress to maintain and repair the pipeline should any problems develop. This easement is in favor of the Mill Creek Water District. In addition, each lot owner is aware that there may be ditches across their particular lot which transports water to the particular lot and to other adjacent landowners who may have a right to use said ditch.

F. Agricultural Practices: Each lot owner acknowledges that they are moving into an agricultural area and that certain agricultural practices have been observed on the described property as well as adjacent property and that they have conducted their own independent examination into these practices and find no objection which would prevent them from enjoying their property.

G. Wildlife: Each lot owner is notified that the area is home to white-tail and mule deer, and several non-game species. In addition, the Department of Fish, Wildlife and Parks states that mountain lions, black bear and moose use the area seasonally. Landowners should be aware that problems could exist associated with living with wildlife, including problems with deer eating ornamental and garden plants, and that certain species may present a danger to domestic pets.

H. Mill Creek Race: There shall be no new construction within fifty feet (50') of the Mill Race or between the Mill Race and Mill Creek as set forth on the plat.

I. No Further Subdivision: None of the lots created under this certificate of survey may be further divided for any purpose.

J. Residential Dwellings: Each lot shall be limited to one (1) residential dwelling and a guest house. "Guest house" is defined as accessory living quarters within an accessory building for the sole use of the family or persons employed on the premises or for the temporary use of guests or the occupants of the premises. Such quarters are not rented, leased or otherwise used as a separate dwelling unit. The term "accessory living quarters" includes the term "guest house".

K. Dwelling and Set Back. No dwelling shall be constructed of a height greater than thirty feet (30'); no

buildings shall be located upon any tract nearer than fifty feet (50') from the outside boundaries or ridgelines. The color and location of each improvement shall conform with and be in harmony with and in conformance with the agricultural nature of the area - that is, natural materials and natural colors typical to the area. Accessory buildings shall conform to the architectural style and colors of the residence on the lot upon which it is placed. The accessory buildings shall not be so numerous or so large as to deter from the aesthetic character of the neighborhood. No mobile homes or trailers or the like shall be allowed, except that recreational campers and trailers shall be allowed, but not for the purpose of residing therein nor for office use and must be kept in a storage building.

L. Architectural Committee. The Architectural Committee shall consist of two (2) persons who shall be appointed by a majority of the Landowners. After such an appointment the Committee shall have authority to act hereunder until they are removed or their successors are appointed.

M. Submission of Plans Before Construction. Prior to the construction or placement of any residence or accessory buildings or other improvements on a lot, a plan of the design, size, color, location and use shall be first submitted to the Architectural Committee, who shall determine whether the plans conform with the spirit of these covenants. The Architectural Committee shall within thirty (30) days, either deny or approve the plan in writing addressed and delivered to the lot owner. The plan shall consist of a drawing to scale of the improvement and location with sufficient detail for the Architectural Committee to determine its size, color, use and location, and conformance with these covenants.

N. Approval or Failure to Disapprove. In the event the Architectural Committee fails to approve or disapprove such design, location, construction, and materials within thirty (30) days after the detailed plans and specifications have been submitted to it, approval shall not be required and this article will be deemed to have been fully complied with, provided the other stipulations set forth in these covenants are complied with. Any plans, specifications and proposals so approved, either expressly in writing or by the expiration of the thirty (30) day period hereinabove provided, shall then permit the owner to commence construction in accordance with said plan, provided that the structure and plan must conform to the minimum building and use restrictions, but any deviation from said plan which in the judgment of the Committee is a substantial detriment to the appearance of the structure or of the surrounding area shall be corrected to conform with the plan as submitted. Once approval is given to a set of plans, the improvement must be commenced within one (1) year and if not, the plans shall be resubmitted to the

Architectural Committee. Once construction is commenced an improvement shall be completed within one (1) year.

O. Damages. Neither the Architectural Committee, nor the individual members thereof, may be held liable to any person for any damages for any action taken pursuant to these covenants, including, but not by way of limitation, damages which may result from assessments, correction, amendment, changes, or rejection of plans, the issuance of building permits, or any delays, associated with such action on the part of the committee.

P. Roads. All approaches and accesses from county roads shall be approved by Park County Road Department or the appropriate governing body and shall have at least a twelve inch (12") culvert installed for passage of water and general drainage.

Q. Sewage Systems. No permanent individual sewage or disposal systems shall be permitted on the tract unless said system is located, constructed and equipped in accordance with the standards and regulations of the Montana State Board of Health, and the Park County Board of Health in effect on the date said system is constructed.

R. Utilities. Each owner of a tract must assume the burden and expense of supplying electricity, telephone, water and sewer facilities or other utilities for his use. Main electrical and telephone lines exist along easements near each tract. The tract owner shall pay the cost of hooking up his improvement to the main line. The owners shall be required to place utilities underground throughout their tracts.

S. Dogs. Any property owner desiring to own more than two (2) dogs shall be considered as maintaining a kennel. In the event that a lot owner does own more than two (2) dogs, the dogs shall be kennelled when not under the immediate control of the property owner. All dogs shall be kept on the landowners' property at all times. No dogs shall be allowed to run at large.

IN WITNESS WHEREOF, the declarant has set her hand on the date of this declaration.

Mary Wallace
MARY WALLACE

STATE OF NEW YORK)
County of New York) ss.

This instrument was acknowledged before me on July 10, 1996, by MARY WALLACE.

[Signature]
Notary Public for the State
of New York. Residing at
New York New York.
My Commission expires: _____.

ARLENE M. GRAFF
Notary Public, State of New York
N. 44-6618932
Qualified in New York County
Commission Expires March 30, 1998

State of Montana }
County of Park } ss.
Filed for record this 23 day of August A.D. 1996 at 8:01
by A. M. Records 116 Page 1128-1133
Doreen Nelson By _____

County Clerk & Recorder
Recording Fee \$ 36.00 Document No. **254803**

Return to: Mill Creek Ranch
Western Heritage
Real Estate
213 S Main
Livingston MT
59047

New ☒ Replacement ☐ Parcel # 6606100
PARK COUNTY HEALTH DEPARTMENT Rcpt #: 3503
\$100.00 Paid by: Ed. Dwyer
SUBSURFACE SEWAGE TREATMENT SYSTEM PERMIT For: Dwyer
Ck #: 015007
Date: 6/3/99

1. SYSTEM TYPE Tank & D.F. 2. DATE OF PERMIT 3 June 99

3. NAME OF PROPERTY OWNER Bob WEST GUEST

4. ADDRESS OF OWNER RP3 ORTON ONTARIO PHONE # 189 PEXY ROAD, PRAY
CANADA L0M 1N0

5. LEGAL DESCRIPTION OF PROPERTY 755 R9 E Sec 20 TR 1
C/S OR PLAT NO. S1/2 213 Mill Ck. Ranch Sub.

6. NUMBER OF BEDROOMS (OR ESTIMATED SEWAGE VOLUME) 3

7. SYSTEM TO BE INSTALLED BY: DEAN KIMPSON

8. TYPE OF WATER SUPPLY: (CIRCLE ONE) WELL SPRING MUNICIPAL OTHER

9. TYPE OF SOILS TO A DEPTH OF 3 FEET 8" Brown Top Soil 16" Light Silt Sand etc

10. SOILS PERCOLATION RATE 6 minutes/inch

11. DEPTH TO SEASONAL HIGH GROUNDWATER 16+ FT. DEPTH TO IMPERMEABLE SOILS 10+ FT.
HOW WAS IT DETERMINED? SITE EXCAVATION

12. IS THIS PROPERTY IN, OR WITHIN 100 FT OF A FLOODPLAIN? Y ☒ N

13. VERIFY, BY LANDOWNER SIGNATURE, THAT THE DRAINFIELD WILL BE 100 FT AWAY FROM THE ACTUAL OR PROPOSED WELL, ALL WATERCOURSES (NATURAL OR MANMADE), LOW AREAS WHERE PONDING MAY OCCUR AND THE 100 YEAR FLOODPLAIN.
Richard E. Smith For Bob WEST GUEST

14. WHAT IS THE SLOPE OF THE GROUND IN THE DRAINFIELD AREA? 5:1 %

15. ARE SANITARY RESTRICTIONS IMPOSED ON THIS PROPERTY? Y ☒ N

16. IS THIS PROPERTY PART OF A SUBDIVISION OF LAND, OR OCCASIONAL SALE?
Y ☒ N

17. SIZE OF PARCEL IN ACRES 64

18. IF LESS THAN 20 ACRES, IS THE MDHES APPROVAL STATEMENT ATTACHED? Y ☐ N

19. LAYOUT DETAILS
Tank size: 1,000 1,500 2,000 gallons Material: Concrete ☒ Other 70

Tank to Foundation: 7 ft. Trench to property line: 100+ ft.

20. TRENCH DIMENSIONS:
Gravel above pipe 2 in. Gravel below pipe 6 in.
Depth to perf. pipe 20-24 in.
Depth to bottom of trench 24-30 in. Trench width 24" Yards of washed gravel 21 yds

21. MINIMUM DRAINFIELD REQUIREMENTS 140 sq.ft/bdrm. Lin. ft./bdrm 70
Total lin. ft. 3x70=210 = MINIMUM 4x70=280 ACTUAL INSTALLED

22. WATER SUPPLY
This property: Distance to septic tank 140+ Distance to drainfield 100+
Adjacent property: Distance to septic tank 100+ Distance to drainfield 100+

23. ON A SEPARATE PIECE OF PAPER DIAGRAM THE PROPOSED SYSTEM, SHOWING THE LOCATION AND DISTANCES BETWEEN:
THE PROPOSED SEWAGE SYSTEM, THE HOUSE, ROADS, YOUR WELL AND ADJACENT NEIGHBORS' WELLS, SURFACE WATER, (SPRINGS, PONDS, LAKES, STREAMS, DITCHES, ETC.) SHOW THE LOCATION OF AN ALTERNATE DRAINFIELD, AND INDICATE - NORTH -. MAKE THIS DIAGRAM AS COMPLETE AS POSSIBLE.

24. I CERTIFY THAT THE ABOVE INFORMATION IS COMPLETE AND FACTUAL, AND I UNDERSTAND THAT THE SUBMISSION OF INCORRECT INFORMATION OR CONTRUCTION OF A SYSTEM THAT DOES NOT FOLLOW THIS APPLICATION, OR DOES NOT FOLLOW THE REQUIREMENTS OF THE COUNTY ON-SITE SEWAGE REGULATION WILL RESULT IN ANY PERMIT ISSUED FOR THIS APPLICATION BEING VOIDED.

PROPERTY OWNER Richard E. Smith For Bob WEST GUEST Contractor Dean Kimpson

NOTE: THIS PERMIT EXPIRES THREE (3) MONTHS AFTER THE DATE OF APPROVAL. IF THE SYSTEM IS NOT INSTALLED WITHIN THIS PERIOD, THIS PERMIT IS VOID AND IF THE INSTALLATION IS STILL DESIRED, ANOTHER PERMIT APPLICATION AND FEE IS REQUIRED.

OFFICIAL USE ONLY

Date received 6/3/99 Approved to install Denied RS Reviewed by RS

Fee paid 100.00 ON-SITE SEWAGE TREATMENT SYSTEM PERMIT

Approved 6/2/99 Denied RS Inspected RS Licensed Installer Dean Kimpson

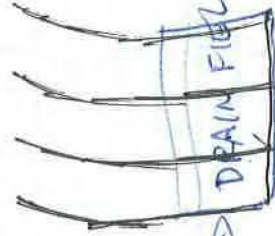
VOL.

PRAY ROAD

189

DRIVEWAY

IRRIGATION DITCH



100'



100'



100'



well



TANK - 1500 gallon
concrete



HOUSE

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: 43B 110024 00 GROUND WATER CERTIFICATE

Version: -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: BOB WESTGEEST
PO BOX 51
PRAY, MT 59065 0051

Priority Date: October 28, 1999 at 11:46 AM

Enforceable Priority Date: October 28, 1999 at 11:46 AM

Purpose (use): LAWN AND GARDEN
STOCK
DOMESTIC

Maximum Flow Rate: 20 GPM

Maximum Volume: 6.34 AC-FT

Maximum Acres: 2.00

Source Name: GROUNDWATER
Source Type: GROUNDWATER

Points 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		SW	20	5S	9E	PARK

Period of Diversion: MAY 1 to OCTOBER 15

Diversion Means: WELL

Subdivision: MILL CREEK SUB OF S /D 213 TRACT/LOT: 1

Well Depth: 340 FEET

Static Water Level: 253 FEET

Casing Diameter: 6.63 INCHES

Pump Size: .5

Purpose (use): LAWN AND GARDEN

Volume:

Period of Use: MAY 1 TO OCTOBER 15

Place of Use: (3 total records)

<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	2.00		SW	20	5S	9E	PARK

Subdivision: MILL CREEK SUB OF S /D 213 TRACT/LOT: 1

Total: 2.00

Purpose (use): STOCK

Volume:

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use: (3 total records)

<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			SW	20	5S	9E	PARK
	Subdivision:		MILL CREEK SUB OF S /D 213 TRACT/LOT: 1				

Purpose (use): DOMESTIC
Households: 1
Volume:
Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use: (3 total records)

<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			SW	20	5S	9E	PARK
	Subdivision:		MILL CREEK SUB OF S /D 213 TRACT/LOT: 1				

Geocodes/Valid:

Remarks: