

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: 41A 94979-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: SMITHS ELK MEADOWS RANCH LLC
PO BOX 766
RIGBY, ID 83442-0766

Priority Date: DECEMBER 13, 1965

Enforceable Priority Date: DECEMBER 13, 1965

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate:

THIS CLAIM IS FOR 500 SHARES OF STOCK OF THE WATER USERS IRRIGATION COMPANY.

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

Climatic Area: 5 - LOW

Maximum Acres: 440.00

Source Name: RED ROCK 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	2	SWNWSW	32	13S	6W	BEAVERHEAD

Period of Diversion:

Diversion Means: DAM

WATER RELEASED FROM LIMA RESERVOIR USES RED ROCK RIVER AS A NATURAL CARRIER TO CONVEY WATER TO A SECONDARY POINT OF DIVERSION IN THE NESWNE SEC 32 TWP 13S RGE 8W BEAVERHEAD COUNTY.

Reservoir: ON STREAM **Reservoir Name** LIMA RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2	SWNWSW	32	13S	6W	BEAVERHEAD

Diversion to Reservoir: DIVERSION # 1

Current Capacity: 84,025.00 ACRE-FEET

Period of Use: APRIL 1 to NOVEMBER 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	40.00		NESW	22	13S	9W	BEAVERHEAD
2	40.00		SESW	22	13S	9W	BEAVERHEAD
3	40.00		SWSW	22	13S	9W	BEAVERHEAD
4	80.00		N2NW	27	13S	9W	BEAVERHEAD
5	80.00		S2NW	27	13S	9W	BEAVERHEAD
6	160.00		SW	27	13S	9W	BEAVERHEAD
Total:	440.00						

Geocodes/Valid: 18-0045-22-3-01-01-0000 - Y 18-0045-27-2-01-01-0000 - 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.

94978-00 94979-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/31/1991.

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 17427 RECEIVED 10/15/2004.

OWNERSHIP UPDATE TYPE DOR # 116157 RECEIVED 12/09/2013.

THIS CLAIM APPEARS TO BE FOR WATER PROVIDED BY THE WATER USERS IRRIGATION CO. UNDER CLAIMS 41A 95526-00, 41A 95527-00, 41A 95528-00, 41A 95529-00, AND 41A 95530-00. THIS CLAIM APPEARS TO BE REDUNDANT.

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.

USDA AERIAL PHOTOGRAPH NO(S). 879-5 , DATED 09/18/1979 , APPEARS TO INDICATE 245.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-131, CXM-6FF-132 , DATED 08/18/1965 , APPEARS TO INDICATE 241.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE RIGHT.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.