

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: 41H 141016-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: PAUGH, JAMES T PARTNERSHIP
1691 HULBERT E RD
BOZEMAN, MT 59715

PETER T BRONKEN
55 SUMMER RIDGE RD
BOZEMAN, MT 59715

HICKS FAMILY FARM LLC
PO BOX 141
HARRISON, MT 59735

TRIPLE CREEK LAND & LIVESTOCK LLC
445 MORNING MIST RD
MANHATTAN, MT 59741

SA & J-MT LLC
2100 WEST LAKE OF THE ISLES PKWY
MINNEAPOLIS, MN 55405

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

Priority Date: MAY 16, 1878

Enforceable Priority Date: MAY 16, 1878

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 5.00 CFS

Maximum Volume:

PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 160.00

Source Name: UNNAMED TRIBUTARY OF EAST DRY 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 | | SWSWSE | 30 | 1S | 5E | GALLATIN |

Period of Diversion: APRIL 1 TO SEPTEMBER 4

Diversion Means: DIKE

| | | | | | | |
|---|--|--|----|----|----|----------|
| 2 | | | 30 | 1S | 5E | GALLATIN |
|---|--|--|----|----|----|----------|

Period of Diversion: APRIL 1 TO SEPTEMBER 4

Diversion Means: SUBIRRIGATION

THE SOURCE FOR POINT OF DIVERSION NO. 2 IS SUBIRRIGATION FROM WATER THAT IS DIVERTED INTO ROAD BORROW DITCHES.

Period of Use: APRIL 1 to SEPTEMBER 4

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 | 160.00 | | | 30 | 1S | 5E | GALLATIN |

Total: 160.00

Geocodes/Valid: 06-0904-30-1-01-01-0000 - Y 06-0904-30-1-12-01-0000 - Y
06-0904-30-1-12-05-0000 - Y 06-0904-30-1-12-15-0000 - Y
06-0904-30-1-12-25-0000 - Y 06-0904-30-1-12-43-0000 - Y
06-0904-30-1-81-01-0000 - 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.

141014-00 141015-00 141016-00 141017-00 141018-00 141019-00 141020-00
141021-00

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

FILE IS IN HOLDING TANK IN TRUDIE'S OFFICE 12/5/00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/25/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/20/96.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 34230 RECEIVED 02/18/2006.

OWNERSHIP UPDATE TYPE 608 # 35927 RECEIVED 02/18/2006.

OWNERSHIP UPDATE TYPE 608 # 35941 RECEIVED 02/18/2006.

OWNERSHIP UPDATE TYPE 608 # 35844 RECEIVED 02/18/2006.

OWNERSHIP UPDATE TYPE 608 # 35936 RECEIVED 02/18/2006.

OWNERSHIP UPDATE TYPE DOR # 97405 RECEIVED 01/25/2010.

OWNERSHIP UPDATE TYPE DOR # 105668 RECEIVED 12/27/2010.

OWNERSHIP UPDATE TYPE DOR # 106608 RECEIVED 12/27/2012.

OWNERSHIP UPDATE TYPE DOR # 120670 RECEIVED 01/17/2014.

OWNERSHIP UPDATE TYPE DOR # 130117 RECEIVED 04/01/2015.

OWNERSHIP UPDATE TYPE DOR # 140859 RECEIVED 03/01/2016.

OWNERSHIP UPDATE TYPE DOR # 141236 RECEIVED 04/08/2016.

THE FLOW RATE OF THIS CLAIM WAS REINSTATED AS CLAIMED. BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE TEMPORARY PRELIMINARY DECREE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.