

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: 41B 143041-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: ERB BUFFALO LLC
PO BOX 1366
DILLON, MT 59725-1366

JENNIFER M JOHNSON
550 EUCALYPTUS AVE
BURLINGAME, CA 94010-6445

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: APRIL 25, 1877
Enforceable Priority Date: APRIL 25, 1877

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 3.03 CFS
THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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

Climatic Area: 3 - MODERATE

Maximum Acres: 80.00

Source Name: UNNAMED TRIBUTARY OF BEAVERHEAD RIVER
Source Type: SURFACE WATER
ALSO KNOWN AS STODDEN SLOUGH

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		SENE	22	6S	8W	BEAVERHEAD

Period of Diversion: APRIL 1 TO NOVEMBER 15

Diversion Means: HEADGATE

Period of Use: APRIL 1 to NOVEMBER 15

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	60.00		W2SW	14	6S	8W	BEAVERHEAD
2	20.00		N2NWNW	23	6S	8W	BEAVERHEAD
Total:	80.00						

Geocodes/Valid: 18-0415-14-3-01-01-0000 - Y 18-0415-23-2-02-01-0000 - 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.

143040-00 143041-00 143042-00 143044-00 143045-00 143046-00 143048-00
143049-00 143050-00 143051-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

143037-00 143041-00

Remarks:

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/02/2000. KELLER TO JOHN & PHYLLIS ERB (75%) AND CECIL JONES (25%).

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/08/2004. CECIL JONES TO JENNIFER J AND ROBERT C BOLT AND GREGORY E AND TRACY L JOHNSON -- 100% OF JONE'S INTEREST (PARCEL C).

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 1765 RECEIVED 05/02/2000.

OWNERSHIP UPDATE TYPE 608 # 16448 RECEIVED 07/08/2004.

OWNERSHIP UPDATE TYPE DOR # 90503 RECEIVED 05/17/2011.

OWNERSHIP UPDATE TYPE DOR # 109669 RECEIVED 03/15/2013.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 579-139 , DATED 09/13/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-1FF-107 , DATED 08/01/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.