

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: 41Q 145994-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MONTANA PRAIRIE NEST II
527 PRAIRIE NEST RD
GREAT FALLS, MT 59405

DAVID J SMITH
527 PRAIRIE NEST RD
GREAT FALLS, MT 59405

DENNICE SMITH
527 PRAIRIE NEST RD
GREAT FALLS, MT 59405

Priority Date: DECEMBER 31, 1952

Enforceable Priority Date: DECEMBER 31, 1952

Type of Historical Right: USE

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 1,624.48 AC-FT

Source Name: ROGERS COULEE

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

| <u>ID</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|-----------------|------------|------------|------------|------------|---------------|
| 1 | | NE | 6 | 20N | 6E | CASCADE |

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM **Reservoir Name** RESERVOIR #2

| <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|------------|------------|------------|------------|---------------|
| | NE | 6 | 20N | 6E | CASCADE |

Diversion to Reservoir: DIVERSION # 1

Depth: 56.25 FEET

Surface Area: 62.48 ACRES

Current Capacity: 1,405.80 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|------------|------------|------------|------------|---------------|
| 1 | | | NE | 6 | 20N | 6E | CASCADE |
| 2 | | | SE | 6 | 20N | 6E | CASCADE |
| 3 | | | NE | 7 | 20N | 6E | CASCADE |
| 4 | | | NW | 8 | 20N | 6E | CASCADE |
| 5 | | | SW | 8 | 20N | 6E | CASCADE |

Geocodes/Valid: 02-3018-06-1-02-01-0000 - Y 02-3018-07-1-01-01-0000 - Y
02-3018-08-2-01-01-0000 - Y

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 4/30/2009.
STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.
NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/11/1992.
WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/20/2000.

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 57321 RECEIVED 04/03/2008.

OWNERSHIP UPDATE TYPE DOR # 90839 RECEIVED 06/01/2011.

BECAUSE THIS CLAIM DID NOT RECEIVE A FACTUAL OR LEGAL ISSUE REMARK DURING THE CLAIMS EXAMINATION PROCESS, THE WATER COURT WILL NOT HOLD A HEARING ON THIS CLAIM UNDER MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 41I, 2002 MT 216, 311 MONT. 327, 55 P.3D 396 UNLESS A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.