

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

See most recent Authorization for current water right details.

Water Right Number: 41J 146756-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: L B CATTLE CO
PO BOX 1238
LIVINGSTON, MT 59047

Priority Date: MAY 15, 1846
Enforceable Priority Date: MAY 15, 1846

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 336.60 GPM

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 13.00

Source Name: UNNAMED TRIBUTARY OF FREEMAN CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS SPRING CREEK

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		NENWSE	12	13N	2E	MEAGHER

Period of Diversion: MAY 1 TO OCTOBER 31
Diversion Means: HEADGATE

Period of Use: MAY 1 to OCTOBER 31

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	13.00		SE	12	13N	2E	MEAGHER

Total: 13.00

Geocodes/Valid: 47-2221-12-1-01-01-0000 - Y 47-2221-12-3-01-01-0000 - 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.

146756-00 146757-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/02/2007: POINT OF DIVERSION, PLACE OF USE.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/1992.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/16/1999.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 139553 RECEIVED 09/16/2015.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 26 GPM PER ACRE.

Remarks:

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

THE CLAIMED PRIORITY DATE PRECEDES 01/01/1866 , THE EARLIEST GENERAL DATE OF SETTLEMENT WITHIN THE SMITH RIVER DRAINAGE.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.