

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 150747-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE
Late Claim: B

Owners: SPAULDING BROOK RANCH LLC
PO BOX 3111
BOZEMAN, MT 59772-3111

ANDY DOUMA
3811 W CREEK RD
BELGRADE, MT 59714

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

Priority Date: MAY 1, 1889

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/09/82 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1.50 CFS

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: 240.00

Source Name: SPAULDING BROOK

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		SWSNW	16	1N	4E	GALLATIN

Period of Diversion: MAY 1 TO OCTOBER 4

Diversion Means: HEADGATE

Period of Use: MAY 1 to OCTOBER 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	240.00		S2	5	1N	4E	GALLATIN

Total: 240.00

Geocodes/Valid: -- NO VALID GEOCODES --

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.

6701-00 6702-00 6703-00 6704-00 6705-00 150745-00 150746-00
150747-00 166759-00 166760-00

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.

150747-00 150750-00

Remarks:

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT FILED 1/25/2005.

FOR PURPOSES OF ADMINISTRATION, THE PRIORITY OF WATER RIGHT 41H 115532-00 IS SUBORDINATE TO THE PRIORITY OF 41H 150747-00, NOTWITHSTANDING THE LATE CLAIM STATUS OF 41H 150747-00, PURSUANT TO THE TERMS OF A PRIVATE AGREEMENT.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/08/90.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/22/01.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 70309 RECEIVED 05/22/2001.

OWNERSHIP UPDATE TYPE 608 # 11147 RECEIVED 10/23/2003.

OWNERSHIP UPDATE TYPE 608 # 13009 RECEIVED 03/02/2004.

CLAIM FILED LATE 09/09/82 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.