

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 154089-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: BLACK BULL OWNER LLC
2995 WOODSIDE RD SUITE 400
WOODSIDE, CA 94062-2448

Priority Date: DECEMBER 31, 1870

Enforceable Priority Date: DECEMBER 31, 1870

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

THIS WATER RIGHT SHALL BE USED FOR FLOODWATER PURPOSES ONLY AND SHALL BE SUBORDINATE IN PRIORITY TO ANY WATER RIGHT OR PERMIT OWNED BY OR WHICH BENEFITS THE CITY OF BOZEMAN, ITS SUCCESSORS IN INTEREST, OR THE MIDDLE CREEK DITCH COMPANY AND ITS SUCCESSORS IN INTEREST.

Maximum Flow Rate: 4.38 CFS

Maximum Volume: 1,088.00 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 272.00

Source Name: HYALITE 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		NESWSE	12	2S	4E	GALLATIN

Period of Diversion: APRIL 15 TO NOVEMBER 4

Diversion Means: HEADGATE

Period of Use: APRIL 15 to NOVEMBER 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	12.00		NW	7	2S	5E	GALLATIN
2	80.00		SW	6	2S	5E	GALLATIN
3	80.00		SE	6	2S	5E	GALLATIN
4	100.00		NE	6	2S	5E	GALLATIN
Total:	272.00						

Geocodes/Valid: 06-0798-06-1-01-05-0000 - Y 06-0798-06-4-03-53-0000 - Y
06-0798-07-1-03-01-0007 - Y 06-0798-07-1-04-47-6500 - 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.

154087-00 154089-00

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 36468 RECEIVED 04/25/2006.

OWNERSHIP UPDATE TYPE DOR # 99825 RECEIVED 04/01/2011.