

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 9044-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: SMITH DIVERSION GROUP
17450 WILSON CREEK RD
GALLATIN GATEWAY, MT 59730

Priority Date: JANUARY 1, 1916
Enforceable Priority Date: JANUARY 1, 1916

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 3.22 CFS
Maximum Volume: 255.00 AC-FT
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 85.00
Source Name: WILSON CREEK, WEST FORK
Source Type: SURFACE WATER

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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		NENESW	36	3S	4E	GALLATIN

Period of Diversion: MAY 1 TO SEPTEMBER 30
Source Name: WILSON CREEK
Diversion Means: HEADGATE
Ditch Name: CROSS DITCH

2		SWNE	35	3S	4E	GALLATIN
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Period of Diversion: MAY 1 TO SEPTEMBER 30
Source Name: WILSON CREEK
Diversion Means: HEADGATE
Ditch Name: TOM BURKE - EAST RAILSBACK DITCH

3		NWSWNE	35	3S	4E	GALLATIN
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Period of Diversion: MAY 1 TO SEPTEMBER 30
Source Name: WILSON CREEK, WEST FORK
Diversion Means: HEADGATE

Period of Use: MAY 1 to SEPTEMBER 30

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		SWNW	36	3S	4E	GALLATIN
2	15.00		N2SE	35	3S	4E	GALLATIN
3	40.00		SENE	35	3S	4E	GALLATIN
4	17.00		NENW	35	3S	4E	GALLATIN
Total:	85.00						

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.

9044-00 9045-00 9046-00

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/07/90.

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A LATE OBJECTION HAS BEEN FILED TO THE ACRES IRRIGATED OF THIS WATER RIGHT CLAIM. IT
WILL BE RESOLVED DURING THE ADJUDICATION OF OBJECTIONS TO THE PRELIMINARY DECREE.
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