

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: 41C 193858-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: EXA L CUDD
PO BOX 764
WELLINGTON, TX 79095

GARNET USA LLC
% KRISTINA LUECK OFFICE MANAGER
PO BOX 161
ALDER, MT 59710-0161

Priority Date: DECEMBER 31, 1899
Enforceable Priority Date: DECEMBER 31, 1899

Type of Historical Right: USE

Purpose (use): MINING
WATER IS USED TO FILL DREDGE BOAT PONDS.

Maximum Flow Rate: 1,500.00 GPM

Maximum Volume: THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: ALDER GULCH 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			9	6S	4W	MADISON

Period of Diversion: JANUARY 28 TO DECEMBER 31
Diversion Means: DITCH

Period of Use: JANUARY 28 to DECEMBER 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				9	6S	4W	MADISON

Geocodes/Valid: 25-0420-09-4-01-01-0000 - Y 25-0420-09-4-02-01-0000 - Y
25-0420-09-4-03-01-0000 - Y 25-0420-09-4-03-05-0000 - Y
25-0420-09-4-04-05-0000 - Y

Remarks:

THE STIPULATION AND AGREEMENT FILED ON JANUARY 20, 1999 IN CASE 41C-215 SPECIFIES THE FOLLOWING: "WATER RIGHT NO. 41C-W-193858-00 SHALL BE TREATED AS IF IT IS JUNIOR IN PRIORITY TO 41C-W-036799-00 AND THE EXISTING GROUNDWATER DEVELOPMENT LOCATED WITHIN THE 2ND AMENDED TRACT 2 (1.896 ACRE) AS SHOWN IN BOOK 2 OF PLATS, PAGE 162, FILED WITH THE CLERK AND RECORDER FOR MADISON COUNTY ON SEPTEMBER 5, 1996." A COPY OF THIS STIPULATION HAS BEEN ADDED TO THE CLAIM FILE.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 43304 RECEIVED 12/14/2006.
OWNERSHIP UPDATE TYPE 608 # 101772 RECEIVED 11/23/2011.