

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: 43B 194774-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: NORTH FORK LLC
C/O BARRY KLEIN
1281 E MAIN
STAMFORD, CT 06902-3544

360 HOLDINGS LLC
1281 E MAIN ST
STAMFORD, CT 06902-8409

SOUTH FORK LLC
% DKR CAPITAL INC
1281 E MAIN ST, 3RD FLOOR
STAMFORD, CT 06902-3565

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

Priority Date: JUNE 1, 1887

Enforceable Priority Date: JUNE 1, 1887

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1.50 CFS

Maximum Volume:

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 191.00

Source Name: ELBOW 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		NENWNE	27	5S	9E	PARK

Period of Diversion: APRIL 20 TO SEPTEMBER 24

Diversion Means: HEADGATE

Ditch Name: MALCOLM-HILL DITCH

DITCH NAME: MALCOLM-HILL DITCH

Period of Use: APRIL 20 to SEPTEMBER 24

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	135.00		SE	28	5S	9E	PARK
2	56.00		NE	33	5S	9E	PARK
Total:	191.00						

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.

194774-00 194775-00 194776-00 194777-00 194778-00 194779-00 194780-00
194781-00 194782-00 194783-00 194784-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/30/90.

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/05/91.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 17894 RECEIVED 11/18/2004.

OWNERSHIP UPDATE TYPE 608 # 60154 RECEIVED 06/26/2008.

OWNERSHIP UPDATE TYPE 608 # 60153 RECEIVED 06/26/2008.

ALTHOUGH NOT OBJECTED TO, THE PLACE OF USE WAS CHANGED TO REFLECT THE REDUCTION IN
MAXIMUM ACRES IRRIGATED.