

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: 41J 198708-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: SMITH RIVER WILDERNESS RANCH LLC
PO BOX 2007
WHITE SULPHUR SPRINGS, MT 59645-2007

Priority Date: DECEMBER 31, 1895

Enforceable Priority Date: DECEMBER 31, 1895

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 2.23 CFS

THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT
PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 59.00

Source Name: SMITH RIVER, NORTH FORK

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		NENWSE	19	11N	9E	MEAGHER

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

WATER DIVERTED FROM NORTH FORK SMITH RIVER IS CONVEYED TO DRY CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN SENESW SEC 24 AND MULTIPLE SECONDARY POINTS OF DIVERSION IN THE N2 SEC 26 ALL IN TWP 11N, RGE 8E.

Period of Use: APRIL 15 to OCTOBER 15

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	52.00		NE	26	11N	8E	MEAGHER
2	1.00		SESENW	26	11N	8E	MEAGHER
3	6.00		N2NWSE	26	11N	8E	MEAGHER
Total:	59.00						

Geocodes/Valid: 47-2007-26-2-01-01-0000 - 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.

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THE FOLLOWING STATEMENT IS CONTAINED IN THE ORIGINAL CLAIM FILE: THIS WATER COMES BY SUBSTITUTION FROM SUTHERLIN RESERVOIR UNDER CONTRACTS 8A AND 9. IT IS USED ON S 26, T 11N-R8E IN EXISTING DITCHES.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 16121 RECEIVED 08/10/2004.