

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 211606-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: PAUGH, JAMES T PARTNERSHIP
1691 HULBERT E RD
BOZEMAN, MT 59715

PETER T BRONKEN
55 SUMMER RIDGE RD
BOZEMAN, MT 59715

HICKS FAMILY FARM LLC
PO BOX 141
HARRISON, MT 59735

SA & J-MT LLC
2100 WEST LAKE OF THE ISLES PKWY
MINNEAPOLIS, MN 55405

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

Priority Date: MAY 1, 1900
Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 12/03/85 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: USE

Purpose (use): IRRIGATION
Maximum Flow Rate: 2,550.00 GPM
Maximum Volume: 255.00 AC-FT
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 150.00

Source Name: SUBIRRIGATION, UNNAMED TRIBUTARY OF EAST DRY CREEK
Source Type: SURFACE WATER

Source Name: EAST DRY 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		SWSWSE	30	1S	5E	GALLATIN

Period of Diversion: APRIL 20 TO OCTOBER 14
Source Name: SUBIRRIGATION, UNNAMED TRIBUTARY OF EAST DRY CREEK
Diversion Means: DIKE

2		SESESW	30	1S	5E	GALLATIN
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Period of Diversion: APRIL 20 TO OCTOBER 14
Source Name: EAST DRY CREEK
Diversion Means: DIKE

3		NESWSE	30	1S	5E	GALLATIN
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Period of Diversion: APRIL 20 TO OCTOBER 14
Source Name: EAST DRY CREEK
Diversion Means: DIKE

4		SESWNE	30	1S	5E	GALLATIN
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Period of Diversion: APRIL 20 TO OCTOBER 14
Source Name: EAST DRY CREEK
Diversion Means: DIKE
SUBIRRIGATION

Period of Use: APRIL 20 to OCTOBER 14

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	150.00		NE	30	1S	5E	GALLATIN
Total:	150.00						

Geocodes/Valid: 06-0904-30-1-01-01-0000 - Y 06-0904-30-1-12-01-0000 - Y
06-0904-30-1-12-40-0000 - Y 06-0904-30-1-12-43-0000 - Y
06-0904-30-1-81-01-0000 - Y

Remarks:

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

THE SOURCE INCLUDES AN UNNAMED TRIBUTARY OF EAST DRY CREEK.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/20/96.

OWNERSHIP UPDATE RECEIVED

- OWNERSHIP UPDATE TYPE 608 # 35936 RECEIVED 02/18/2006.
- OWNERSHIP UPDATE TYPE 608 # 35844 RECEIVED 02/18/2006.
- OWNERSHIP UPDATE TYPE 608 # 35927 RECEIVED 02/18/2006.
- OWNERSHIP UPDATE TYPE 608 # 34230 RECEIVED 02/18/2006.
- OWNERSHIP UPDATE TYPE DOR # 97405 RECEIVED 01/25/2010.
- OWNERSHIP UPDATE TYPE DOR # 105668 RECEIVED 12/27/2010.
- OWNERSHIP UPDATE TYPE DOR # 120670 RECEIVED 01/17/2014.
- OWNERSHIP UPDATE TYPE DOR # 130117 RECEIVED 04/01/2015.
- OWNERSHIP UPDATE TYPE DOR # 141236 RECEIVED 04/08/2016.

CLAIM WAS NOT INCLUDED IN THE BASIN 41H TEMPORARY PRELIMINARY DECREE ISSUED 09/26/85.
CLAIM FILED LATE 12/03/85 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.