

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 214949-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: TCP II SMITH FARM LLC
C/O TIMBERVEST LLC
3715 NORTHSIDE PARKWAY
ATLANTA, GA 30327

Priority Date: JUNE 1, 1884

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 01/31/96 . 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: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 280.50 GPM

Maximum Volume:
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 31.25

Source Name: BULLRUN 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		SWSWNE	17	1N	4E	GALLATIN

Period of Diversion: MAY 1 TO OCTOBER 31
Diversion Means: HEADGATE

Period of Use: MAY 1 to OCTOBER 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	7.00		SWSWNE	17	1N	4E	GALLATIN
2	24.25		SEnw	17	1N	4E	GALLATIN
Total:	31.25						

Geocodes/Valid: 06-1010-17-1-01-02-0000 - Y

Remarks:

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

WATER RIGHT NO. ASSIGNED TO BOZEMAN ON 01/31/96.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 43556 RECEIVED 01/02/2007.

OWNERSHIP UPDATE TYPE DOR # 89584 RECEIVED 10/16/2008.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
CLAIM WAS NOT INCLUDED IN THE BASIN 41H TEMPORARY PRELIMINARY DECREE ISSUED 12/26/85.
CLAIM FILED LATE 01/31/96 . 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.

THE GALLATIN COUNTY WATER RESOURCES SURVEY (1953) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.