

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: 41E 215797-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: SMITH, PAUL T RANCHES INC
502 LOWER VALLEY RD
BOULDER, MT 59632-9728

Priority Date: JUNE 14, 1866

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 07/01/96 . 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: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 7.50 CFS

Maximum Volume:

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 645.00

Source Name: BOULDER RIVER

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		SWNENW	19	5N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO NOVEMBER 4

Diversion Means: HEADGATE

Ditch Name: MCCAULEY-MURPHY-SMITH DITCH

Period of Use: APRIL 1 to NOVEMBER 4

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	20.00		SESE	20	5N	3W	JEFFERSON
2	20.00		SWSW	21	5N	3W	JEFFERSON
3	100.00		NW	34	5N	3W	JEFFERSON
4	120.00		NW	28	5N	3W	JEFFERSON
5	140.00		SE	28	5N	3W	JEFFERSON
6	110.00		SW	28	5N	3W	JEFFERSON
7	15.00		N2SENE	33	5N	3W	JEFFERSON
8	60.00		N2NE	33	5N	3W	JEFFERSON
9	20.00		NENE	29	5N	3W	JEFFERSON
10	40.00		SWSW	27	5N	3W	JEFFERSON
Total:	645.00						

Geocodes/Valid: 51-1389-20-4-01-01-0000 - Y 51-1389-21-3-01-01-0000 - Y
51-1389-27-1-01-01-0000 - Y 51-1389-28-1-01-01-0000 - Y
51-1389-29-1-01-01-0000 - Y 51-1389-33-1-01-01-0000 - Y
51-1389-34-1-01-01-0000 - Y

Remarks:

THE ACRES IRRIGATED WAS AMENDED BY THE CLAIMANT ON 01/06/1997.

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

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 41E TEMPORARY PRELIMINARY DECREE ISSUED 06/20/1985.

Remarks:

CLAIM FILED LATE 07/01/96 . 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.