

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 216312-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** SHERMAN J SMITH  
PO BOX 1008  
THREE FORKS, MT 59752-1286

**Priority Date:** MAY 1, 1938  
**Enforceable Priority Date:** MAY 1, 1938

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 45.00 GPM

**Maximum Volume:**  
**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 160.00

**Source Name:** WEST GALLATIN RIVER  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	5	4S	4E	GALLATIN

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** WEST GALLATIN CANAL  
DITCH NAME: WEST GALLATIN (KLEINSCHMIDT) CANAL

**Period of Use:** APRIL 1 to OCTOBER 31

**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	160.00		SE	21	2S	5E	GALLATIN
<b>Total:</b>	160.00						

**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.

125508-00 125509-00 125510-00 125511-00 216312-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. W125510-00.