

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 15567-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** SMITH RIVER RANCH LP  
9045 STRADA STELL CT # 500  
NAPLES, FL 34109-4344

**Priority Date:** APRIL 10, 1894

**Enforceable Priority Date:** APRIL 10, 1894

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 408.00 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. 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:** 24.00

**Source Name:** SMITH 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		SESENW	34	13N	4E	MEAGHER

**Period of Diversion:** MAY 1 TO SEPTEMBER 30

**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to SEPTEMBER 30

**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	16.00		E2NWNW	34	13N	4E	MEAGHER
2	3.00		SENW	34	13N	4E	MEAGHER
3	5.00		NESWNW	34	13N	4E	MEAGHER
<b>Total:</b>	24.00						

**Geocodes/Valid:** 47-2223-34-1-01-01-0000 - Y

47-2223-34-3-02-02-0000 - 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.

15566-00 15567-00 15570-00 19311-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/28/1985.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/28/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/28/1990.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/28/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/20/1998.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 25770 RECEIVED 11/02/2005.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

---

**Remarks:**

THE MEAGHER COUNTY WATER RESOURCES SURVEY FIELD NOTES 1950 APPEAR TO INDICATE 0  
ACRES IRRIGATED BY WATER DIVERTED FROM SMITH RIVER.