

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 15570-00 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: MARCH 4, 1953

Enforceable Priority Date: MARCH 4, 1953

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1.36 CFS

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: 36.00

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 | | NESESE | 11 | 12N | 4E | MEAGHER |

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: APRIL 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 | 4.00 | | SWNWSE | 2 | 12N | 4E | MEAGHER |
| 2 | 5.00 | | W2SWSE | 2 | 12N | 4E | MEAGHER |
| 3 | 3.00 | | SENESE | 2 | 12N | 4E | MEAGHER |
| 4 | 3.00 | | NESESE | 2 | 12N | 4E | MEAGHER |
| 5 | 21.00 | | NE | 11 | 12N | 4E | MEAGHER |
| Total: | 36.00 | | | | | | |

Geocodes/Valid: 47-2121-02-4-01-01-0000 - Y

47-2121-11-1-01-01-0000 - 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 02/28/1990.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/01/1984.

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

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

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

OWNERSHIP UPDATE RECEIVED

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

Remarks:

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
THE MEAGHER COUNTY WATER RESOURCES SURVEY FIELD NOTES 1950 APPEAR TO INDICATE 0
ACRES IRRIGATED BY WATER DIVERTED FROM SMITH RIVER.