

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 30048490 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

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

Priority Date: JULY 17, 1905

Enforceable Priority Date: JULY 17, 1905

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1.66 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 - MODERATE

Maximum Acres: 59.15

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BULLRUN CREEK

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		NWNWNW	28	1N	4E	GALLATIN

Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: DRAIN DITCH

2		N2NE	29	1N	4E	GALLATIN
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Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: DRAIN DITCH

Period of Use: MAY 1 to SEPTEMBER 30

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	32.46		E2NE	19	1N	4E	GALLATIN
2	26.69		W2NW	20	1N	4E	GALLATIN

Total: 59.15

Geocodes/Valid: 06-1010-17-3-01-01-0000 - 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.

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

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 41H TEMPORARY PRELIMINARY DECREE ISSUED 09/26/1985.

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 22538-00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 641 # 69629 RECEIVED 10/16/2008.

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 84181 RECEIVED 01/25/2011.