

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 30066021 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: BREWER LAND CO LLC
PO BOX 66
RINGLING, MT 59642-0066

Priority Date: OCTOBER 31, 1949
Enforceable Priority Date: OCTOBER 31, 1949

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 3.38 CFS

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: 205.00

Source Name: SMITH RIVER, SOUTH FORK
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		NESWSE	21	7N	8E	MEAGHER

Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: JOHN HAYMAN DITCH

Period of Use: APRIL 1 to OCTOBER 15

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	50.00		W2NW	4	6N	8E	MEAGHER
2	25.00		NWSW	4	6N	8E	MEAGHER
3	55.00		E2E2	5	6N	8E	MEAGHER
4	75.00		E2	32	7N	8E	MEAGHER
Total:	205.00						

Geocodes/Valid: 47-1502-04-2-01-01-0000 - Y 47-1502-05-1-01-01-0000 - Y
47-1598-32-1-01-01-0000 - Y 47-1598-32-3-01-01-0000 - 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.

30066021 30066022

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

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 41J PRELIMINARY DECREE ISSUED 12/16/2010.

THIS APPROPRIATION OF WATER TAKES WATER FROM THE SMITH RIVER DRAINAGE (BASIN 41J) AND USES IT IN THE SMITH RIVER DRAINAGE (BASIN 41J) AND THE MISSOURI RIVER, ABOVE HOLTER DAM DRAINAGE (BASIN 411). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41J 22970-00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 114090 RECEIVED 05/25/2011.

Remarks:

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 110569 RECEIVED 05/28/2013.