

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: 43A 18712-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: GUNSMOKE RANCH LLC
18 RAINS WAY
HOUSTON, TX 77007-7099

ROCK CREEK RANCH I LTD
100 WAUGH DR, SUITE 400
HOUSTON, TX 77007

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: SEPTEMBER 1, 1955

Enforceable Priority Date: SEPTEMBER 1, 1955

Type of Historical Right: USE

Purpose (use): STOCK

Maximum Flow Rate:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVIOR.

Maximum Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: ADAIR CREEK

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		SENENW	29	1N	11E	PARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SENENW	29	1N	11E	PARK

Diversion to Reservoir: DIVERSION # 1

Dam Height: 19.00 FEET

Surface Area: 2.70 ACRES

Current Capacity: 15.10 ACRE-FEET

Period of Use: JANUARY 1 to DECEMBER 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			SWNWNE	29	1N	11E	PARK
2			SENENW	29	1N	11E	PARK

Geocodes/Valid: 49-1017-29-1-10-10-0000 - Y

49-1017-29-2-01-01-0000 - Y

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME RESERVOIR.

18701-00 18712-00

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

18701-00 18712-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME RESERVOIR. W018701-00, W018712-00.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/21/94.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/16/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 79408 RECEIVED 05/22/2009.

OWNERSHIP UPDATE TYPE DOR # 97602 RECEIVED 05/28/2009.

OWNERSHIP UPDATE TYPE DOR # 116013 RECEIVED 12/04/2013.

THE WATER COURT HAS BEEN PRESENTED WITH EVIDENCE INDICATING THE CORRECT POINT OF DIVERSION AND MEANS OF DIVERSION FOR THIS CLAIM IS A DAM IN THE NESENW OF SEC 29, TWP 01N, RGE 11E, PARK COUNTY AND THE RESERVOIR LOCATION IS IN SESENW, SEC 29, TWP 01N, RGE 11E, PARK COUNTY.