

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: 41A 29239-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

FLYING J RANCH LLP
PO BOX 760
MIDWAY, UT 84049-0760

HANSEN, ROSS & SANDRA FAMILY TRUST
PO BOX 48
DELL, MT 59724-0048

R & D RANCH LLC
2000 W 41ST ST
BALTIMORE, MD 21211-1420

CLARK CANYON RANCH LLC
4350 HIGH BRIDGE RD
DILLON, MT 59725-8021

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

Priority Date: MAY 15, 1885

Enforceable Priority Date: MAY 15, 1885

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 4.38 CFS

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

Climatic Area: 5 - LOW

Maximum Acres: 3,777.00

Source Name: RED ROCK RIVER

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		NWNWSW	7	12S	9W	BEAVERHEAD

Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

2		SESESW	7	12S	9W	BEAVERHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

3		SENESE	18	12S	9W	BEAVERHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

4		SWNWNW	20	12S	9W	BEAVERHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

5		SESESE	20	12S	9W	BEAVERHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

6		SESENE	29	12S	9W	BEAVERHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

Ditch Name: YOUNG DITCH

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
7		NWNESE	1	12S	10W	BEAVERHEAD

Period of Diversion: APRIL 1 TO NOVEMBER 1
Diversion Means: HEADGATE

8		SESESE	1	12S	10W	BEAVERHEAD
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Period of Diversion: APRIL 1 TO NOVEMBER 1
Diversion Means: HEADGATE

Period of Use: APRIL 1 to NOVEMBER 1

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	80.00		W2NW	6	12S	9W	BEAVERHEAD
2	7.00		W2SE	6	12S	9W	BEAVERHEAD
3	14.00		W2SE	6	12S	9W	BEAVERHEAD
4	148.00		SW	6	12S	9W	BEAVERHEAD
5	3.00		NENE	7	12S	9W	BEAVERHEAD
6	29.00		NWNE	7	12S	9W	BEAVERHEAD
7	15.00		SENE	7	12S	9W	BEAVERHEAD
8	32.00		SWNE	7	12S	9W	BEAVERHEAD
9	132.00		NW	7	12S	9W	BEAVERHEAD
10	113.00		SE	7	12S	9W	BEAVERHEAD
11	30.00		NESW	7	12S	9W	BEAVERHEAD
12	12.00		NWSW	7	12S	9W	BEAVERHEAD
13	5.00		SESW	7	12S	9W	BEAVERHEAD
14	14.00		SWSW	7	12S	9W	BEAVERHEAD
15	52.00		S2SE	8	12S	9W	BEAVERHEAD
16	9.00		NWSW	8	12S	9W	BEAVERHEAD
17	3.00		SESW	8	12S	9W	BEAVERHEAD
18	29.00		SWSW	8	12S	9W	BEAVERHEAD
19	113.00		NE	17	12S	9W	BEAVERHEAD
20	19.00		NENW	17	12S	9W	BEAVERHEAD
21	27.00		SENW	17	12S	9W	BEAVERHEAD
22	66.00		W2NW	17	12S	9W	BEAVERHEAD
23	62.00		E2NE	18	12S	9W	BEAVERHEAD
24	27.00		SWNE	18	12S	9W	BEAVERHEAD
25	120.00		NW	18	12S	9W	BEAVERHEAD
26	68.00		W2SE	18	12S	9W	BEAVERHEAD
27	115.00		SW	18	12S	9W	BEAVERHEAD
28	122.00		NE	19	12S	9W	BEAVERHEAD
29	108.00		NW	19	12S	9W	BEAVERHEAD
30	144.00		SE	19	12S	9W	BEAVERHEAD
31	79.00		SW	19	12S	9W	BEAVERHEAD
32	98.00		SW	20	12S	9W	BEAVERHEAD
33	151.00		NE	1	12S	10W	BEAVERHEAD
34	76.00		E2NW	1	12S	10W	BEAVERHEAD
35	60.00		NWNW	1	12S	10W	BEAVERHEAD
36	51.00		SWNW	1	12S	10W	BEAVERHEAD
37	69.00		E2SE	1	12S	10W	BEAVERHEAD
38	35.00		NESE	1	12S	10W	BEAVERHEAD
39	30.00		SWSE	1	12S	10W	BEAVERHEAD
40	28.00		NESW	1	12S	10W	BEAVERHEAD
41	19.00		NWSW	1	12S	10W	BEAVERHEAD
42	21.00		SESW	1	12S	10W	BEAVERHEAD
43	32.00		SWSW	1	12S	10W	BEAVERHEAD
44	63.00		E2NE	2	12S	10W	BEAVERHEAD
45	33.00		E2SE	2	12S	10W	BEAVERHEAD
46	1.00		NENE	11	12S	10W	BEAVERHEAD
47	31.00		NENE	12	12S	10W	BEAVERHEAD
48	33.00		NWNE	12	12S	10W	BEAVERHEAD
49	27.00		SENE	12	12S	10W	BEAVERHEAD
50	27.00		SWNE	12	12S	10W	BEAVERHEAD
51	103.00		NW	12	12S	10W	BEAVERHEAD
52	136.00		SE	12	12S	10W	BEAVERHEAD
53	76.00		SW	12	12S	10W	BEAVERHEAD
54	89.00		E2NE	13	12S	10W	BEAVERHEAD
55	3.00		NENW	13	12S	10W	BEAVERHEAD
56	105.00		SE	13	12S	10W	BEAVERHEAD
57	114.00		SW	13	12S	10W	BEAVERHEAD

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>
58	3.00		SESE	14	12S	10W	BEAVERHEAD
59	1.00		NENE	23	12S	10W	BEAVERHEAD
60	109.00		NE	24	12S	10W	BEAVERHEAD
61	113.00		NW	24	12S	10W	BEAVERHEAD
62	114.00		SE	24	12S	10W	BEAVERHEAD
63	129.00		SW	24	12S	10W	BEAVERHEAD
Total:	3,777.00						

Geocodes/Valid:		
	18-0068-01-1-01-01-0000 - Y	18-0068-01-2-01-01-0000 - Y
	18-0068-02-1-01-01-0000 - Y	18-0068-12-1-01-01-0000 - Y
	18-0068-12-2-02-01-0000 - Y	18-0068-13-1-01-05-0000 - Y
	18-0068-13-1-03-01-0000 - Y	18-0068-14-1-01-01-0000 - Y
	18-0068-23-1-01-01-0000 - Y	18-0068-24-1-01-02-0000 - Y
	18-0068-24-1-02-01-0000 - Y	18-0069-06-1-01-01-0000 - Y
	18-0069-07-3-01-01-0000 - Y	18-0069-07-3-02-09-0000 - Y
	18-0069-07-3-02-12-0000 - Y	18-0069-08-3-01-01-0000 - Y
	18-0069-17-1-03-01-0000 - Y	18-0069-17-2-01-01-0000 - Y
	18-0069-18-1-01-01-0000 - Y	18-0069-18-2-01-01-0000 - Y
	18-0069-18-2-02-01-0000 - Y	18-0069-18-3-01-01-0000 - Y
	18-0069-19-1-01-01-0000 - Y	18-0069-20-2-01-01-0000 - Y
	18-0069-20-3-03-01-0000 - 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.

29237-00 29238-00 29239-00 29240-00 29241-00 29242-00 29243-00
29244-00 29245-00 185662-00 185663-00

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.

29239-00 187044-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/09/1992.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/18/1992.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/30/1987.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/29/1992.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/23/1996.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/30/1998.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/1998.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 9340 RECEIVED 06/19/2003.

OWNERSHIP UPDATE TYPE 608 # 44599 RECEIVED 02/15/2007.

OWNERSHIP UPDATE TYPE 608 # 50341 RECEIVED 02/15/2007.

OWNERSHIP UPDATE TYPE 608 # 66279 RECEIVED 03/09/2009.

OWNERSHIP UPDATE TYPE DOR # 85053 RECEIVED 03/05/2010.

OWNERSHIP UPDATE TYPE DOR # 97096 RECEIVED 10/31/2011.

OWNERSHIP UPDATE TYPE 608 # 98559 RECEIVED 03/15/2012.

Remarks:

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/03/2012, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JAMES R HARMSWORTH, STEPHEN R SCHRODER.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE LAND.

USDA AERIAL PHOTOGRAPH NO(S). 879-007, 009 , DATED 9/18/1979 , APPEARS TO INDICATE 4081.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 6FF-65, CXM-6FF-66, CXM-6FF-67, CXM-6FF-68, CXM-7FF-179, CXM-6FF-180 , DATED 08/18/1965, 08/17/1965 , APPEARS TO INDICATE 2848.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.