

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: 76F 97767-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: GEHRING RANCH CORP
GEHRING RANCH
782 STEMPLE PASS RD
LINCOLN, MT 59639

BALDY MOUNTAIN RANCH INC
778 STEMPLE PASS RD
LINCOLN, MT 59639-9515

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

Priority Date: OCTOBER 15, 1888

Enforceable Priority Date: OCTOBER 15, 1888

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 15.93 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: 323.40

Source Name: BLACKFOOT 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		NENWSE	21	14N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 5

Diversion Means: HEADGATE

Ditch Name: HOOPER DITCH

Period of Use: MAY 1 to OCTOBER 5

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	17.00		SESE	19	14N	8W	LEWIS AND CLARK
2	9.50		SWSE	19	14N	8W	LEWIS AND CLARK
3	0.30		SESE	20	14N	8W	LEWIS AND CLARK
4	1.20		NWSE	20	14N	8W	LEWIS AND CLARK
5	14.40		SWSE	20	14N	8W	LEWIS AND CLARK
6	18.00		NESW	20	14N	8W	LEWIS AND CLARK
7	17.30		NWSW	20	14N	8W	LEWIS AND CLARK
8	36.30		SWSW	20	14N	8W	LEWIS AND CLARK
9	30.00		SWSE	20	14N	8W	LEWIS AND CLARK
10	0.40		SWSW	21	14N	8W	LEWIS AND CLARK
11	3.50		NWNW	28	14N	8W	LEWIS AND CLARK
12	32.50		NENE	29	14N	8W	LEWIS AND CLARK
13	1.00		NWNE	29	14N	8W	LEWIS AND CLARK
14	4.00		SWNE	29	14N	8W	LEWIS AND CLARK
15	21.50		SENE	29	14N	8W	LEWIS AND CLARK
16	14.00		NENE	30	14N	8W	LEWIS AND CLARK
17	32.00		NWNE	30	14N	8W	LEWIS AND CLARK
18	35.00	1	NWNW	30	14N	8W	LEWIS AND CLARK
19	35.50		NENW	30	14N	8W	LEWIS AND CLARK
Total:	323.40						

Geocodes/Valid: 05-2337-19-4-01-01-0000 - 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.

97764-00 97765-00 97767-00 97768-00 97769-00 97771-00

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.

97763-00 97767-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2-12-2007: MAXIMUM ACRES, PLACE OF USE, AND PRIORITY DATE.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 07/12/1994.

THE OWNERS WILL SHARE DITCH LOSSES EQUALLY FROM THE DIVERSION TO WHERE THE HOOPER DITCH DIVERTS IN THE NESWSE SECTION 20, T14N, R8W.

EITHER OWNER MAY DIVERT UP TO 15.93 CFS AS LONG AS THE SUM OF DIVERSIONS MADE UNDER THIS CLAIM DOES NOT EXCEED 15.93 CFS.

SHOULD CONFLICT ARISE IN THE OPERATION OF THIS RIGHT, THE DIVERTED FLOW SHALL BE SHARED PROPORTIONATELY BASED UPON THE ACRES IRRIGATED UNDER THIS CLAIM. BALDY MOUNTAIN RANCH WOULD RECEIVE 44% OF DIVERTED FLOWS AND GEHRING RANCH CORPORATION WOULD RECEIVE 56% OF DIVERTED FLOWS.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/06/1993.