

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: 43BV 116574-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: LEGACY RANCHES PARTNERS LP
PO BOX 6279
BOZEMAN, MT 59771

Priority Date: JULY 1, 1912

Enforceable Priority Date: JULY 1, 1912

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 9.00 CFS

Maximum Volume: 960.00 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 307.40

Source Name: UNNAMED TRIBUTARY OF SWEET GRASS CREEK

Source Type: SURFACE WATER

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF SWEET GRASS 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 | | SE | 23 | 4N | 14E | SWEET GRASS |

Period of Diversion: APRIL 1 TO OCTOBER 31

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF SWEET GRASS CREEK

Diversion Means: DITCH

Ditch Name: DRIVDAHL DITCH

| | | | | | | |
|---|--|----|----|----|-----|-------------|
| 2 | | NW | 25 | 4N | 14E | SWEET GRASS |
|---|--|----|----|----|-----|-------------|

Period of Diversion: APRIL 1 TO OCTOBER 31

Source Name: UNNAMED TRIBUTARY OF SWEET GRASS CREEK

Diversion Means: DITCH

| | | | | | | |
|---|--|------|----|----|-----|-------------|
| 3 | | E2E2 | 25 | 4N | 14E | SWEET GRASS |
|---|--|------|----|----|-----|-------------|

Period of Diversion: APRIL 1 TO OCTOBER 31

Source Name: UNNAMED TRIBUTARY OF SWEET GRASS CREEK

Diversion Means: DITCH

| | | | | | | |
|---|--|--------|----|----|-----|-------------|
| 4 | | W2W2SW | 30 | 4N | 15E | SWEET GRASS |
|---|--|--------|----|----|-----|-------------|

Period of Diversion: APRIL 1 TO OCTOBER 31

Source Name: UNNAMED TRIBUTARY OF SWEET GRASS CREEK

Diversion Means: DITCH

DITCH NAME: DRIVDAHL DITCH

Period of Use: APRIL 1 to OCTOBER 31

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 | 132.40 | | NW | 32 | 4N | 15E | SWEET GRASS |
| 2 | 3.00 | | N2SW | 32 | 4N | 15E | SWEET GRASS |
| 3 | 22.00 | | N2SE | 32 | 4N | 15E | SWEET GRASS |
| 4 | 150.00 | | NE | 32 | 4N | 15E | SWEET GRASS |
| Total: | 307.40 | | | | | | |

Geocodes/Valid: 40-1313-32-1-01-01-0000 - Y

Remarks:

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

Remarks:

ONE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/18/89.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/23/94.

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 OF THE CLAIMANT'S TOTAL 307.4 ACRES. THE COMBINED VOLUME OF THESE RIGHTS SHALL NOT EXCEED 2,880.00 ACRE-FEET PER YEAR. THE COMBINED FLOW RATE OF THESE RIGHTS SHALL NOT EXCEED 9.00 CFS. EACH RIGHT IS LIMITED TO THE FLOW RATE, VOLUME, PLACE OF USE AND BENEFICIAL USE OF THAT INDIVIDUAL RIGHT. 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 W116573-00, W116574-00, W116575-00, W116576-00

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 22203 RECEIVED 04/28/2005.

OWNERSHIP UPDATE TYPE DOR # 110203 RECEIVED 11/27/2012.

OWNERSHIP UPDATE TYPE DOR # 133422 RECEIVED 06/22/2015.

ALTHOUGH NOT OBJECTED TO, THE POINT OF DIVERSION HAS BEEN CORRECTED AT THE REQUEST OF THE CLAIMANT. THIS MAY BE HEARD AT THE PRELIMINARY DECREE STAGE.