

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: 41F 133699-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: ROGER W SMITH
1190 BALDY MOUNTAIN LN
BELGRADE, MT 59714-8921

Priority Date: JUNE 1, 1904
Enforceable Priority Date: JUNE 1, 1904

Type of Historical Right: USE
Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 34.60 CFS

Maximum Volume:
Climatic Area: 3 - MODERATE

Maximum Acres: 343.00

Source Name: MADISON 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		NW	SE	SW	7	2S 2E GALLATIN

Period of Diversion: APRIL 15 TO OCTOBER 19
Diversion Means: HEADGATE
Ditch Name: HUTCHINSON DITCH
DITCH NAME: HUTCHINSON DITCH

Period of Use: APRIL 15 to OCTOBER 19

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	113.00		NE	32	1S	2E	GALLATIN		
2	120.00		E2	W2	32	1S	2E	GALLATIN	
3	85.00		NW	28	1S	2E	GALLATIN		
25	25.00		E2	E2	SW	29	1S	2E	GALLATIN
Total:	343.00								

Geocodes/Valid: -- NO VALID GEOCODES --

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.

133698-00 133699-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/04/94.

THE TIMELY FILED OBJECTION OF HARRIET E. SMITH WAS AMENDED BY SUCCESSOR-IN-INTEREST ROGER W. SMITH TO INCLUDE PLACE OF USE AND POINT OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAYBE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.