

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: 41H 140873-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: BOZEMAN, CITY OF
%TIM COOPER, ATTY
PO BOX 1230
BOZEMAN, MT 59771-1230

Priority Date: JULY 31, 1866

Enforceable Priority Date: JULY 31, 1866

THIS WATER RIGHT SHALL BE SUBORDINATE IN PRIORITY TO ALL WATER RIGHTS DECREED IN THE "UPPER DECREE" BEING RUFFNER V. WILLIAMS, CAUSE NO 1333, GALLATIN COUNTY, DATED 12/2/1887, PURSUANT TO A STIPULATION FILED 8/25/98 LOCATED IN CASE FILE 41H-171.

Type of Historical Right: DECREED

Purpose (use): MUNICIPAL

Maximum Flow Rate: 67.00 GPM

Maximum Volume: 109.50 AC-FT

Source Name: SOURDOUGH 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		NENE	18	3S	6E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: BOZEMAN MUNICIPAL PIPELINE

Period of Use: JANUARY 1 to DECEMBER 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			SE	36	1S	5E	GALLATIN
2				31	1S	6E	GALLATIN
3			SW	32	1S	6E	GALLATIN
4				1	2S	5E	GALLATIN
5			E2	2	2S	5E	GALLATIN
6			E2	10	2S	5E	GALLATIN
7				11	2S	5E	GALLATIN
8				12	2S	5E	GALLATIN
9				13	2S	5E	GALLATIN
10			N2	14	2S	5E	GALLATIN
11			SW	14	2S	5E	GALLATIN
12				24	2S	5E	GALLATIN
13			S2	4	2S	6E	GALLATIN
14				5	2S	6E	GALLATIN
15				6	2S	6E	GALLATIN
16				7	2S	6E	GALLATIN
17			W2	8	2S	6E	GALLATIN
18			SE	8	2S	6E	GALLATIN
19			SW	9	2S	6E	GALLATIN
20			N2	16	2S	6E	GALLATIN
21			W2	17	2S	6E	GALLATIN
22				18	2S	6E	GALLATIN
23			W2	19	2S	6E	GALLATIN

Remarks:

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

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER

Remarks:

FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL OF THE VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W140873-00, W140877-00, W140879-00, W140880-00.

THE TIMELY FILED OBJECTION OF CITY OF BOZEMAN WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE VOLUME. BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.