

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 216310-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: SHERMAN J SMITH
PO BOX 1286
TOWNSEND, MT 59644

PATRICIA L HALL
4911 BLACKWOOD RD
BOZEMAN, MT 59715-7626

Priority Date: MAY 1, 1938
Enforceable Priority Date: MAY 1, 1938

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 45.00 GPM

Maximum Volume:
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 308.00

Source Name: WEST GALLATIN 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		NWSWSE	5	4S	4E	GALLATIN

Period of Diversion: APRIL 15 TO NOVEMBER 4
Diversion Means: HEADGATE
Ditch Name: WEST GALLATIN CANAL
DITCH NAME: WEST GALLATIN (KLEINSCHMIDT) CANAL

Period of Use: APRIL 15 to NOVEMBER 4

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	160.00		SW	22	2S	5E	GALLATIN
2	148.00		NE	28	2S	5E	GALLATIN
Total:	308.00						

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.

31241-00 31242-00 31243-00 216310-00

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. W031243-00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 23972 RECEIVED 08/01/2005.
OWNERSHIP UPDATE TYPE 608 # 25598 RECEIVED 10/24/2005.
OWNERSHIP UPDATE TYPE 608 # 43195 RECEIVED 12/07/2006.