

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: 41A 94977-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: SMITHS ELK MEADOWS RANCH LLC
PO BOX 766
RIGBY, ID 83442-0766

Priority Date: AUGUST 21, 1885

Enforceable Priority Date: AUGUST 21, 1885

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 4.00 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: 650.00

Source Name: BIG SHEEP CREEK

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		SWSESW	20	13S	9W	BEAVERHEAD

Period of Diversion: APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE

Ditch Name: JAMES FLYNN DITCH

Period of Use: APRIL 1 to NOVEMBER 1

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		SE	21	13S	9W	BEAVERHEAD
2	40.00		SESW	21	13S	9W	BEAVERHEAD
3	15.00		SESW	22	13S	9W	BEAVERHEAD
4	10.00		SWNW	22	13S	9W	BEAVERHEAD
5	155.00		SW	22	13S	9W	BEAVERHEAD
6	80.00		N2NW	27	13S	9W	BEAVERHEAD
7	40.00		SESW	27	13S	9W	BEAVERHEAD
8	30.00		SWNW	27	13S	9W	BEAVERHEAD
9	20.00		NESW	27	13S	9W	BEAVERHEAD
10	40.00		NENE	28	13S	9W	BEAVERHEAD
11	30.00		NWNE	28	13S	9W	BEAVERHEAD
12	10.00		SENE	28	13S	9W	BEAVERHEAD
13	20.00		NENW	28	13S	9W	BEAVERHEAD
Total:	650.00						

Geocodes/Valid: 18-0045-21-4-01-01-0000 - Y 18-0045-22-2-01-01-0000 - Y
18-0045-22-3-01-01-0000 - Y 18-0045-27-2-01-01-0000 - Y
18-0045-28-1-01-01-0000 - Y

Remarks:

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.

94977-00 94981-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/31/1991.

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 17427 RECEIVED 10/15/2004.

OWNERSHIP UPDATE TYPE DOR # 116157 RECEIVED 12/09/2013.

AN AMENDMENT WAS SUBMITTED ON 10/15/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

USDA AERIAL PHOTOGRAPH NO(S). 879-5 , DATED 09/18/1979 , APPEARS TO INDICATE 570.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-131, CXM-6FF-132 , DATED 08/18/1965 , APPEARS TO INDICATE 573.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.