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: 40E 165685-00   STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: AMERICAN PRAIRIE FOUNDATION
PO BOX 908
BOZEMAN, MT 59771-0908

Priority Date: DECEMBER 31, 1935

Enforceable Priority Date: DECEMBER 31, 1935

Type of Historical Right: USE

Purpose (use):   STOCK

Maximum Flow Rate:

Maximum Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SMITH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNWSW	15	23N	32E	PHILLIPS

Period of Diversion: MARCH 15 TO JANUARY 19
Diversion Means: DAM

Reservoir: ON STREAM

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NWNWSW	15	23N	32E	PHILLIPS

Diversion to Reservoir: DIVERSION # 1

Period of Use: MARCH 15 to JANUARY 19

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			NWNWSW	15	23N	32E	PHILLIPS

Geocodes/Valid: 11-3414-15-2-01-01-0000 - Y

Remarks:

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/23/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/16/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/15/89.

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/26/99.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 53239 RECEIVED 01/16/2008.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.