

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 31243-00 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:** JUNE 15, 1872  
**Enforceable Priority Date:** JUNE 15, 1872

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 85.30 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
<b>Total:</b>	<b>308.00</b>						

**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.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/15/93.

**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.