

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:** 41Q 94367-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** NORTHWESTERN ENERGY  
% NORTHWESTERN CORP  
40 E BROADWAY ST  
BUTTE, MT 59701

**Priority Date:** AUGUST 31, 1915

**Enforceable Priority Date:** AUGUST 31, 1915

**Type of Historical Right:** USE

**Purpose (use):** POWER GENERATION

**Purpose Clarification:** HYDROELECTRIC

THIS RIGHT IS FOR DIRECT DIVERSION THRU THE POWER PLANT. (NO STORAGE)

**Maximum Flow Rate:** 5,900.00 CFS

**Maximum Volume:** 4,271,600.00 AC-FT

THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

**Source Name:** MISSOURI RIVER

**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		SESW	17	21N	5E	CASCADE

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

2	2	SESW	17	21N	5E	CASCADE
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

3		NENW	20	21N	5E	CASCADE
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

RYAN DAM

**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			SESW	17	21N	5E	CASCADE
2		2	SESW	17	21N	5E	CASCADE

**Geocodes/Valid:** 02-3140-17-3-01-01-0000 - Y

**Remarks:**

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 11/20/2009.

THE RYAN DAM DEVELOPMENT WATER RIGHTS WERE INCLUDED IN THE REPORT OF THE SPECIAL MASTER SUBMITTED IN THE MONTANA POWER CO. VS BROADWATER-MISSOURI WATER USERS ASSOC. CASE FILED WITH THE UNITED STATES DISTRICT COURT OF MONTANA, HELENA. THE SPECIAL MASTER'S REPORT WAS ADOPTED IN THE DISTRICT COURT DECISION REPORTED AS MONTANA POWER CO. VS BROADWATER-MISSOURI WATER USERS ASSOC., 50 F. SUPP. 4 (1942). EVEN THOUGH THE DISTRICT COURT DECISION WAS REVERSED ON JURISDICTIONAL GROUNDS IN BROADWATER-MISSOURI WATER USERS ASSOC. VS MONTANA POWER CO., 139 F.2D 998 (1944), THE SPECIAL MASTER'S REPORT MAY BE A FACTUAL DESCRIPTION OF THE WATER RIGHTS AT RYAN DAM. THE SPECIAL MASTER FOUND THE MONTANA POWER COMPANY HAD: "1ST. A WATER RIGHT OF THE AMOUNT OF WATER NECESSARY TO OPERATE THE POWER PLANT UP TO THE MAXIMUM OF 5900 SECOND FEET AS OF AUGUST 31, 1915, WHICH IS THE DATE THAT THIS DEVELOPMENT WAS PUT INTO OPERATION. 2ND. A WATER RIGHT AS OF AUGUST 31, 1915, IN THE AMOUNT OF 1407 CUBIC FEET PER SECOND BUT NOT IN EXCESS IN VOLUME OF THE NUMBER OF SECOND FOOT DAYS NECESSARY TO

**Remarks:**

FILL THE RYAN RESERVOIR AT ANY GIVEN TIME. "

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

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/22/1999.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 127292 RECEIVED 11/18/2014.