

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: 41S 119560-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: MONTANA, STATE OF DEPT OF NATURAL RESOURCES
STATE PROJECTS-ACKLEY LAKE DAM
1424 9TH AVE
PO BOX 201601
HELENA, MT 59620-1601

Priority Date: OCTOBER 23, 1935

Enforceable Priority Date: OCTOBER 23, 1935

THIS WATER RIGHT WAS ESTABLISHED PURSUANT TO 89-101 THROUGH 89-141 R.C.M. (1947) (REPEALED).

Type of Historical Right: FILED

Purpose (use): SALE

Irrigation Type: SPRINKLER/FLOOD

THIS RIGHT INCLUDES WATER STORAGE AS PROVIDED IN SECTION 89-121, R.C.M. (1947) (REPEALED). THE RIGHT DIVERTS WATER INTO THE ACKLEY LAKE RESERVOIR PROJECT FOR LATER RELEASE TO WATER PURCHASERS. THE HISTORICAL USES FOR THIS STORED WATER INCLUDE IRRIGATION, STOCKWATER, AND OTHER USEFUL AND BENEFICIAL PURPOSES.

Maximum Flow Rate: 100.00 CFS

Maximum Volume: 12,830.00 AC-FT

TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. VOLUME BASED UPON HISTORICAL PROJECT WATER USE RECORDS.

Climatic Area: 3 - MODERATE

Source Name: JUDITH RIVER

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING (BRANCH) CREEK

THE PRIMARY SOURCE IS THE JUDITH RIVER. THE DECLARATION AND AMENDED DECLARATION FOR THE ACKLEY LAKE PROJECT STATE THAT THE SOURCE IS THE JUDITH RIVER AND ITS TRIBUTARIES.

Source Name: LAKE CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING (BRANCH) CREEK

THE PRIMARY SOURCE IS THE JUDITH RIVER. THE DECLARATION AND AMENDED DECLARATION FOR THE ACKLEY LAKE PROJECT STATE THAT THE SOURCE IS THE JUDITH RIVER AND ITS TRIBUTARIES.

Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING (BRANCH) CREEK

THE PRIMARY SOURCE IS THE JUDITH RIVER. THE DECLARATION AND AMENDED DECLARATION FOR THE ACKLEY LAKE PROJECT STATE THAT THE SOURCE IS THE JUDITH RIVER AND ITS TRIBUTARIES.

Source Name: ANTELOPE CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING (BRANCH) CREEK

THE PRIMARY SOURCE IS THE JUDITH RIVER. THE DECLARATION AND AMENDED DECLARATION FOR THE ACKLEY LAKE PROJECT STATE THAT THE SOURCE IS THE JUDITH RIVER AND ITS TRIBUTARIES.

Source Name: SPRING CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING (BRANCH) CREEK

THE PRIMARY SOURCE IS THE JUDITH RIVER. THE DECLARATION AND AMENDED DECLARATION FOR THE ACKLEY LAKE PROJECT STATE THAT THE SOURCE IS THE JUDITH RIVER AND ITS TRIBUTARIES.

Source Name: SPRING BRANCH
Source Type: SURFACE WATER

ALSO KNOWN AS SPRING (BRANCH) CREEK

THE PRIMARY SOURCE IS THE JUDITH RIVER. THE DECLARATION AND AMENDED DECLARATION FOR THE ACKLEY LAKE PROJECT STATE THAT THE SOURCE IS THE JUDITH RIVER AND ITS TRIBUTARIES.

Source Name: UNNAMED TRIBUTARY OF SPRING CREEK
Source Type: SURFACE WATER

ALSO KNOWN AS SPRING (BRANCH) CREEK

THE PRIMARY SOURCE IS THE JUDITH RIVER. THE DECLARATION AND AMENDED DECLARATION FOR THE ACKLEY LAKE PROJECT STATE THAT THE SOURCE IS THE JUDITH RIVER AND ITS TRIBUTARIES.

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		S2NW	13	14N	13E	JUDITH BASIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: JUDITH RIVER
Diversion Means: HEADGATE
Ditch Name: ACKLEY LAKE SUPPLY CANAL

2		SWSE	13	14N	13E	JUDITH BASIN
---	--	------	----	-----	-----	--------------

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: SPRING BRANCH
Diversion Means: DITCH
Ditch Name: ACKLEY LAKE SUPPLY CANAL

3		N2SW	13	14N	13E	JUDITH BASIN
---	--	------	----	-----	-----	--------------

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF SPRING CREEK
Diversion Means: DITCH
Ditch Name: ACKLEY LAKE SUPPLY CANAL

4		SESW	18	14N	14E	JUDITH BASIN
---	--	------	----	-----	-----	--------------

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Diversion Means: DITCH
Ditch Name: ACKLEY LAKE SUPPLY CANAL

5		SWSW	18	14N	14E	JUDITH BASIN
---	--	------	----	-----	-----	--------------

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: ANTELOPE CREEK
Diversion Means: DITCH
Ditch Name: ACKLEY LAKE SUPPLY CANAL

6		N2NE	19	14N	14E	JUDITH BASIN
---	--	------	----	-----	-----	--------------

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: SPRING CREEK
Diversion Means: DITCH
Ditch Name: ACKLEY LAKE SUPPLY CANAL

7		E2SE	21	14N	14E	JUDITH BASIN
---	--	------	----	-----	-----	--------------

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: LAKE CREEK
Diversion Means: DITCH
Ditch Name: ACKLEY LAKE SUPPLY CANAL

SOURCE FOR POINT OF DIVERSION #3 IS ALSO KNOWN AS SPRING (BRANCH) CREEK

Reservoir: OFF STREAM **Reservoir Name** ACKLEY LAKE
Govt Lot **Qtr** **Sec** **Twp** **Rge** **County**
S2 22 14N 14E JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Dam Height: 51.00 FEET

Surface Area: 260.00 ACRES

Current Capacity: 6,140.00 ACRE-FEET

ALL SEVEN DIVERSIONS ARE TO THE RESERVOIR.

Period of Use: MAY 1 to SEPTEMBER 30

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			S2	22	14N	14E	JUDITH BASIN

THE PLACE OF USE FOR SALE IS THE LOCATION OF THE OUTLET AND CONTROL GATE AT THE ACKLEY LAKE RESERVOIR DAM SITE.

GENERAL SERVICE AREA OF THE ACKLEY LAKE RESERVOIR PROJECT:

	TWP	RGE	COUNTY
001	14N	13E	JUDITH BASIN
002	14N	14E	JUDITH BASIN
003	14N	15E	JUDITH BASIN
004	15N	14E	JUDITH BASIN
005	15N	15E	JUDITH BASIN

THE GENERAL SERVICE AREA IS THE AREA SERVED BY THE ACKLEY LAKE WATER USER'S ASSOCIATION. THE GENERAL SERVICE AREA FOR SALE OF WATER AT THE ACKLEY LAKE DAM INCLUDES BUT IS NOT LIMITED TO THE LOCATIONS SPECIFIED ABOVE.

Remarks:

THE PRIORITY DATE, PURPOSE, POINT OF DIVERSION, MEANS OF DIVERSION, AND PLACE OF USE WERE AMENDED BY THE CLAIMANT ON 4/19/2006 PURSUANT TO SECTION 85-2-233(6), MCA.

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