

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: 41G 119378-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

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

Priority Date: OCTOBER 24, 1935

Enforceable Priority Date: OCTOBER 24, 1935

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

PURSUANT TO SECTION 89-121 R.C.M. (1933) THIS RIGHT IS ALSO USED FOR STORAGE PURPOSES.

Maximum Flow Rate:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVIOR.

Maximum Volume: 32,792.00 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 18,700.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

WATER FROM WILLOW CREEK RESERVOIR IS EXCHANGED FOR WATER DIVERTED ABOVE THE RESERVOIR FROM THE NORTH FORK AND THE SOUTH FORK OF WILLOW CREEK.

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		SWSWSW	26	1S	1W	MADISON

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: DAM

Ditch Name: WILLOW CREEK DAM

Reservoir: ON STREAM **Reservoir Name** WILLOW CREEK RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSWSW	26	1S	1W	MADISON

Diversion to Reservoir: DIVERSION # 1

Dam Height: 105.00 FEET

Current Capacity: 18,000.00 ACRE-FEET

Period of Use: APRIL 1 to OCTOBER 31

THE PERIOD OF DIVERSION FROM THE SOURCE INTO THIS RESERVOIR IS JANUARY 01 THROUGH DECEMBER 31.

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	90.00		SE	8	1N	1E	GALLATIN
2	95.00		SW	8	1N	1E	GALLATIN
3	90.00		SE	9	1N	1E	GALLATIN
4	10.00		SW	9	1N	1E	GALLATIN
5	70.00		NE	10	1N	1E	GALLATIN
6	125.00		SE	10	1N	1E	GALLATIN
7	155.00		SW	10	1N	1E	GALLATIN
8	100.00		NE	11	1N	1E	GALLATIN
9	160.00		NW	11	1N	1E	GALLATIN
10	20.00		SE	11	1N	1E	GALLATIN
11	120.00		SW	11	1N	1E	GALLATIN
12	50.00		NE	16	1N	1E	GALLATIN

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>
13	80.00		NW	16	1N	1E	GALLATIN
14	490.00			17	1N	1E	GALLATIN
15	90.00		NE	18	1N	1E	GALLATIN
16	10.00		NW	18	1N	1E	GALLATIN
17	160.00		SE	18	1N	1E	GALLATIN
18	95.00		SW	18	1N	1E	GALLATIN
19	680.00			19	1N	1E	GALLATIN
20	25.00		NE	20	1N	1E	GALLATIN
21	50.00		NW	20	1N	1E	GALLATIN
22	145.00		SE	20	1N	1E	GALLATIN
23	20.00		SW	20	1N	1E	GALLATIN
24	10.00		NE	29	1N	1E	GALLATIN
25	150.00		NW	29	1N	1E	GALLATIN
26	120.00		SE	29	1N	1E	GALLATIN
27	115.00		SW	29	1N	1E	GALLATIN
28	530.00			30	1N	1E	GALLATIN
29	619.00			31	1N	1E	GALLATIN
30	4.00	N2N2N2NE		32	1N	1E	GALLATIN
31	120.00		NW	32	1N	1E	GALLATIN
32	85.00		SE	32	1N	1E	GALLATIN
33	160.00		SW	32	1N	1E	GALLATIN
34	30.00		NE	24	1N	1W	GALLATIN
35	80.00		SE	24	1N	1W	GALLATIN
36	510.00			25	1N	1W	GALLATIN
37	5.00		NE	26	1N	1W	GALLATIN
38	115.00		SE	26	1N	1W	GALLATIN
39	20.00		SW	26	1N	1W	GALLATIN
40	160.00		NE	35	1N	1W	GALLATIN
41	140.00		NW	35	1N	1W	GALLATIN
42	60.00		NW	36	1N	1W	GALLATIN
43	545.00			5	1S	1E	GALLATIN
44	570.00			6	1S	1E	GALLATIN
45	115.00		NE	7	1S	1E	GALLATIN
46	10.00		SE	7	1S	1E	GALLATIN
47	25.00		NW	18	1S	1E	GALLATIN
48	85.00		SW	18	1S	1E	GALLATIN
49	45.00		NW	19	1S	1E	GALLATIN
50	40.00		SE	19	1S	1W	MADISON
51	75.00		SW	19	1S	1W	MADISON
52	19.00	S2SW		20	1S	1W	MADISON
53	20.00		NE	24	1S	1W	MADISON
54	10.00		NW	28	1S	1W	MADISON
55	30.00		NE	29	1S	1W	MADISON
56	85.00		NW	29	1S	1W	MADISON
57	140.00		SE	29	1S	1W	MADISON
58	50.00		SW	29	1S	1W	MADISON
59	125.00		NE	30	1S	1W	MADISON
60	160.00		NW	30	1S	1W	MADISON
61	50.00		SE	30	1S	1W	MADISON
62	100.00		SW	30	1S	1W	MADISON
63	75.00		NW	31	1S	1W	MADISON
64	75.00		SW	31	1S	1W	MADISON
65	160.00		NE	32	1S	1W	MADISON
66	120.00		SE	32	1S	1W	MADISON
67	120.00		NE	33	1S	1W	MADISON
68	90.00		NW	33	1S	1W	MADISON
69	150.00		SE	33	1S	1W	MADISON
70	45.00		SW	33	1S	1W	MADISON
71	85.00		NE	23	1S	2W	MADISON
72	10.00		NW	23	1S	2W	MADISON
73	140.00		SE	23	1S	2W	MADISON
74	10.00		SW	23	1S	2W	MADISON
75	35.00		NW	24	1S	2W	MADISON
76	10.00		SE	24	1S	2W	MADISON
77	60.00		SW	24	1S	2W	MADISON
78	625.00			25	1S	2W	MADISON
79	140.00		NE	26	1S	2W	MADISON
80	25.00		NW	26	1S	2W	MADISON

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>
81	140.00		SE	26	1S	2W	MADISON
82	140.00		NE	34	1S	2W	MADISON
83	160.00		SE	34	1S	2W	MADISON
84	520.00			35	1S	2W	MADISON
85	120.00		NE	36	1S	2W	MADISON
86	160.00		NW	36	1S	2W	MADISON
87	15.00		SE	36	1S	2W	MADISON
88	160.00		SW	36	1S	2W	MADISON
89	10.00		NE	4	2S	1W	MADISON
90	135.00		NW	4	2S	1W	MADISON
91	10.00		SE	4	2S	1W	MADISON
92	4.00		NWNWSE	4	2S	1W	MADISON
93	75.00		SW	4	2S	1W	MADISON
94	30.00		NE	8	2S	1W	MADISON
95	55.00		NW	8	2S	1W	MADISON
96	100.00		SW	8	2S	1W	MADISON
97	160.00		SE	18	2S	1W	MADISON
98	155.00		SW	18	2S	1W	MADISON
99	135.00		NE	19	2S	1W	MADISON
100	150.00		NW	19	2S	1W	MADISON
101	45.00		SE	19	2S	1W	MADISON
102	30.00		SW	19	2S	1W	MADISON
103	40.00		NE	1	2S	2W	MADISON
104	145.00		SE	1	2S	2W	MADISON
105	10.00		SW	1	2S	2W	MADISON
106	120.00		NE	3	2S	2W	MADISON
107	160.00		SE	3	2S	2W	MADISON
108	25.00		SE	5	2S	2W	MADISON
109	160.00		NE	8	2S	2W	MADISON
110	65.00		NW	8	2S	2W	MADISON
111	120.00		SE	8	2S	2W	MADISON
112	45.00		SW	8	2S	2W	MADISON
113	160.00		NE	9	2S	2W	MADISON
114	160.00		NW	9	2S	2W	MADISON
115	5.00		SW	9	2S	2W	MADISON
116	80.00		SE	11	2S	2W	MADISON
117	80.00		SW	11	2S	2W	MADISON
118	585.00			12	2S	2W	MADISON
119	535.00			13	2S	2W	MADISON
120	520.00			14	2S	2W	MADISON
121	10.00		NW	15	2S	2W	MADISON
122	110.00		SW	15	2S	2W	MADISON
123	35.00		NE	16	2S	2W	MADISON
124	60.00		NW	16	2S	2W	MADISON
125	40.00		SE	16	2S	2W	MADISON
126	4.00		N2NESW	16	2S	2W	MADISON
127	540.00			17	2S	2W	MADISON
128	105.00		NE	20	2S	2W	MADISON
129	5.00		NW	20	2S	2W	MADISON
130	95.00		NE	21	2S	2W	MADISON
131	120.00		NW	21	2S	2W	MADISON
132	10.00		SE	21	2S	2W	MADISON
133	15.00		SW	21	2S	2W	MADISON
134	130.00		NE	24	2S	2W	MADISON
135	20.00		NW	24	2S	2W	MADISON
136	150.00		SE	24	2S	2W	MADISON
137	70.00		SW	24	2S	2W	MADISON
138	85.00		NE	26	2S	2W	MADISON
139	40.00		NW	26	2S	2W	MADISON
140	120.00		SE	26	2S	2W	MADISON
141	45.00		SW	26	2S	2W	MADISON
142	10.00		SE	27	2S	2W	MADISON
143	70.00		NE	28	2S	2W	MADISON
144	10.00		NW	28	2S	2W	MADISON
145	60.00		SE	28	2S	2W	MADISON
146	20.00		SW	28	2S	2W	MADISON
147	5.00		NW	33	2S	2W	MADISON
148	140.00		NE	34	2S	2W	MADISON

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>
149	15.00		NW	34	2S	2W	MADISON
150	70.00		SE	34	2S	2W	MADISON
151	40.00		SW	34	2S	2W	MADISON
152	630.00			35	2S	2W	MADISON
153	5.00		NW	36	2S	2W	MADISON
154	55.00		SW	36	2S	2W	MADISON
Total:	18,700.00						

Remarks:

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

THIS APPROPRIATION OF WATER TAKES WATER FROM THE JEFFERSON RIVER DRAINAGE (BASIN 41G) AND USES IT IN THE MADISON RIVER DRAINAGE (BASIN 41F) AND THE JEFFERSON RIVER DRAINAGE (BASIN 41G). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

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 W119378-00, W119380-00, W119410-00, W119411-00, W119383-00, W119384-00, W119416-00, W119417-00.

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.