

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:** 41P 40763-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** USA (DEPT OF INTERIOR BUREAU OF RECLAMATION)  
PO BOX 30137  
BILLINGS, MT 59107-0137

THIS IRRIGATION DISTRICT WAS ESTABLISHED UNDER TITLE 85, CHAPTER 7, MCA.

**Priority Date:** AUGUST 21, 1952

**Enforceable Priority Date:** AUGUST 21, 1952

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Maximum Volume:** 43.00 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 45.00

**Source Name:** MARIAS RIVER

**Source Type:** SURFACE WATER

ALSO KNOWN AS TIBER RESERVOIR

**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	3	SESWSW	28	30N	5E	LIBERTY

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

**Diversion Means:** DAM

2- SECONDARY		SENENE	32	30N	5E	LIBERTY
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**Period of Diversion:** APRIL 1 TO OCTOBER 1

**Diversion Means:** PUMP

WATER FROM LAKE ELWELL (TIBER RESERVOIR) IS CONVEYED BY A PUMP AT THE SECONDARY POINT OF DIVERSION (NO.2) TO THE PLACE OF USE ( A CAMPGROUND)

**Reservoir:** ON STREAM **Reservoir Name** LAKE ELWELL

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3	SESWSW	28	30N	5E	LIBERTY

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 206.00 FEET

**Depth:** 197.00 FEET

**Surface Area:** 23,805.00 ACRES

**Current Capacity:** 967,320.00 ACRE-FEET

SEE THE NATIONAL INVENTORY OF DAMS CORPS MAP REPORT IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**Period of Use:** APRIL 1 to OCTOBER 1

**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	5.00		NENE	32	30N	5E	LIBERTY
2	40.00		SENE	32	30N	5E	LIBERTY
<b>Total:</b>	45.00						

**Remarks:**

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 41P 40750-00.

PARENT FILE FOR THIS RIGHT IS 41P 40756-00.

**Remarks:**

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 26679 RECEIVED 11/30/2005.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 41P 40750-00, 41P 40751-00, 41P 40752-00, 41P 40753-00, 41P 40755-00, 41P 40757-00, 41P 40758-00, 41P 40759-00, 41P 40760-00, 41P 40761-00, 41P 40762-00, 41P 40763-00, 41P 40764-00, 41P 40768-00, 41P 40769-00, 41P 40770-00, 41P 40771-00, 41P 40772-00, 41P 40774-00.

USDA AERIAL PHOTOGRAPH NO. 578-048 , DATED 08/09/1979 APPEARS TO INDICATE 26.72 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED EXHIBIT F IS 03/06/1956.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE RIGHT.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.