

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: 43P 40906-00 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

Priority Date: MAY 5, 1961

Enforceable Priority Date: MAY 5, 1961

Type of Historical Right: FILED

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 29,775.00 CFS

Maximum Volume: 1,375,000.00 AC-FT

Source Name: BIGHORN 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		SWSE	18	6S	31E	BIG HORN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM **Reservoir Name** YELLOWTAIL DAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSE	18	6S	31E	BIG HORN

Diversion to Reservoir: DIVERSION # 1

Period of Use: JANUARY 1 to 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				13	6S	30E	BIG HORN
2				14	6S	30E	BIG HORN
3				22	6S	30E	BIG HORN
4				23	6S	30E	BIG HORN
5				24	6S	30E	BIG HORN
6				26	6S	30E	BIG HORN
7				27	6S	30E	BIG HORN
8				32	6S	30E	BIG HORN
9				33	6S	30E	BIG HORN
10				34	6S	30E	BIG HORN
11				35	6S	30E	BIG HORN
12				36	6S	30E	BIG HORN
13				18	6S	31E	BIG HORN
14				19	6S	31E	BIG HORN
15				13	7S	29E	CARBON
16				13	7S	29E	BIG HORN
17				14	7S	29E	CARBON
18				14	7S	29E	BIG HORN
19				21	7S	29E	BIG HORN
20				21	7S	29E	CARBON
21				22	7S	29E	CARBON
22				22	7S	29E	BIG HORN
23				23	7S	29E	BIG HORN
24				23	7S	29E	CARBON
25				24	7S	29E	CARBON
26				24	7S	29E	BIG HORN
27				26	7S	29E	CARBON
28				26	7S	29E	BIG HORN
29				27	7S	29E	BIG HORN
30				27	7S	29E	CARBON
31				34	7S	29E	BIG HORN

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>
32				34	7S	29E	CARBON
33				35	7S	29E	BIG HORN
34				35	7S	29E	CARBON
35				1	7S	30E	BIG HORN
36				3	7S	30E	BIG HORN
37				4	7S	30E	BIG HORN
38				5	7S	30E	BIG HORN
39				6	7S	30E	BIG HORN
40				7	7S	30E	BIG HORN
41				8	7S	30E	BIG HORN
42				17	7S	30E	BIG HORN
43				18	7S	30E	BIG HORN
44				6	7S	31E	BIG HORN
45				3	8S	29E	BIG HORN
46				3	8S	29E	CARBON
47				4	8S	29E	BIG HORN
48				4	8S	29E	CARBON
49				9	8S	29E	BIG HORN
50				9	8S	29E	CARBON
51				10	8S	29E	BIG HORN
52				10	8S	29E	CARBON
53				15	8S	29E	BIG HORN
54				15	8S	29E	CARBON
55				16	8S	29E	CARBON
56				16	8S	29E	BIG HORN
57				17	8S	29E	BIG HORN
58				17	8S	29E	CARBON
59				20	8S	29E	BIG HORN
60				20	8S	29E	CARBON
61				21	8S	29E	BIG HORN
62				21	8S	29E	CARBON
63				28	8S	29E	CARBON
64				28	8S	29E	BIG HORN
65				29	8S	29E	CARBON
66				29	8S	29E	BIG HORN
67				30	8S	29E	CARBON
68				30	8S	29E	BIG HORN
69				31	8S	29E	BIG HORN
70				31	8S	29E	CARBON
71				32	8S	29E	CARBON
72				32	8S	29E	BIG HORN
73				33	8S	29E	BIG HORN
74				33	8S	29E	CARBON
75				12	9S	28E	BIG HORN
76				12	9S	28E	CARBON
77				13	9S	28E	BIG HORN
78				13	9S	28E	CARBON
79				24	9S	28E	CARBON
80				24	9S	28E	BIG HORN
81				25	9S	28E	CARBON
82				25	9S	28E	BIG HORN
83				26	9S	28E	BIG HORN
84				26	9S	28E	CARBON
85				35	9S	28E	CARBON
86				35	9S	28E	BIG HORN
87				36	9S	28E	BIG HORN
88				36	9S	28E	CARBON
89				6	9S	29E	CARBON
90				6	9S	29E	BIG HORN
91				7	9S	29E	BIG HORN
92				7	9S	29E	CARBON
93				18	9S	29E	BIG HORN
94				18	9S	29E	CARBON
95				30	9S	29E	CARBON
96				30	9S	29E	BIG HORN
97				4	56N	94W	BIG HORN
98				5	56N	94W	BIG HORN
99				6	56N	94W	BIG HORN

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>
100				8	56N	94W	BIG HORN
101				9	56N	94W	BIG HORN
102				10	56N	94W	BIG HORN
103				15	56N	94W	BIG HORN
104				16	56N	94W	BIG HORN
105				17	56N	94W	BIG HORN
106				20	56N	94W	BIG HORN
107				21	56N	94W	BIG HORN
108				5	57N	94W	BIG HORN
109				6	57N	94W	BIG HORN
110				7	57N	94W	BIG HORN
111				8	57N	94W	BIG HORN
112				9	57N	94W	BIG HORN
113				15	57N	94W	BIG HORN
114				16	57N	94W	BIG HORN
115				17	57N	94W	BIG HORN
116				18	57N	94W	BIG HORN
117				20	57N	94W	BIG HORN
118				21	57N	94W	BIG HORN
119				22	57N	94W	BIG HORN
120				23	57N	94W	BIG HORN
121				26	57N	94W	BIG HORN
122				27	57N	94W	BIG HORN
123				28	57N	94W	BIG HORN
124				33	57N	94W	BIG HORN
125				34	57N	94W	BIG HORN
126				35	57N	94W	BIG HORN
127				1	57N	95W	BIG HORN
128				12	57N	95W	BIG HORN
129				19	58N	94W	BIG HORN
130				30	58N	94W	BIG HORN
131				31	58N	94W	BIG HORN
132				24	58N	95W	BIG HORN
133				25	58N	95W	BIG HORN
134				36	58N	95W	BIG HORN

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

40903-00 40904-00 40905-00 40906-00 40907-00 40909-00

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 40899-00.

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

PLACE OF USE ID NO. 97 THROUGH NO. 134 ARE IN BIG HORN COUNTY, WYOMING.

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. 40903-00, 40904-00, 40905-00, 40906-00, 40907-00, 40908-00, 40909-00, 40910-00, 40911-00, 40912-00, 40913-00.

AN INTERSTATE USE OF WATER IS CLAIMED. PLACE OF USE IS PARTIALLY IN WYOMING.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.