

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: 43Q 94420-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: TALEN MONTANA LLC
303 N BROADWAY STE 400
BILLINGS, MT 59101

Priority Date: SEPTEMBER 6, 1950

Enforceable Priority Date: SEPTEMBER 6, 1950

Type of Historical Right: FILED

Purpose (use): INDUSTRIAL
COAL FIRED ELECTRIC POWER PLANT

Maximum Flow Rate: 34,500.00 GPM

THE USE OF THIS WATER IS LARGELY NONCONSUMPTIVE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT USE THE SAME PUMP. THE COMBINED FLOW RATE FOR THESE RIGHTS IS LIMITED TO THE HISTORICAL PUMP CAPACITY. 094420-00, 094421-00.

Maximum Volume: 52,500.00 AC-FT

Source Name: YELLOWSTONE 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	5	NWSE	2	1S	26E	YELLOWSTONE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: PUMP

WATER IS DIVERTED THROUGH AN INTAKE CANAL TO AN INTAKE STRUCTURE AND PIPELINE. THERE ARE TWO PUMPS RELATED TO THIS INTAKE.

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		5	NWSE	2	1S	26E	YELLOWSTONE

Geocodes/Valid: 03-0927-02-1-03-01-0000 - Y

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.

94420-00 94421-00

THE MEANS OF DIVERSION DESCRIPTION WAS AMENDED BY THE CLAIMANT ON 02/05/2008.

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

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/22/99.

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL OF THE VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. 094420-00, 094422-00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 137691 RECEIVED 06/02/2015.