

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: 76G 124867-00 STATEMENT OF CLAIM
Version: 7 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: BUTTE-SILVER BOW COUNTY
155 W GRANITE ST
BUTTE, MT 59701-9206

Priority Date: FEBRUARY 15, 1901

Enforceable Priority Date: FEBRUARY 15, 1901

Purpose (use): INDUSTRIAL
FISHERY
FISHERY
IRRIGATION

Purpose Clarification: CONCENTRATOR & ASIMI

Purpose Clarification: INSTREAM FLOWS

Purpose Clarification: INSTREAM FLOWS

Purpose Clarification: COPPER MOUNTAIN YOUTH PARK

Maximum Flow Rate: 92.00 CFS

Maximum Volume: 16,425.00 AC-FT

Source Name: TWIN LAKES CREEK

Source Type: SURFACE WATER

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		SW	NENE	35	5N	13W DEER LODGE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

THE FOLLOWING WATER RIGHT CLAIMS MAY BE STORED IN SILVER LAKE. SILVER LAKE IS FILLED, REFILLED, AND SUCCESSIVELY REFILLED DURING THE YEAR-ROUND PERIOD OF USE UP TO THE VOLUMETRIC LIMITATION OF 17, 500 ACRE FEET PER YEAR. EACH INDIVIDUAL CLAIM IS LIMITED TO ITS DECREED FLOW RATE OR VOLUME. W090423-00, W124864-00, W124867-00, W124868-00, W124869-00, W124870-00, W124871-00, W124872-00, W126480-00, W126484-00, W126508-00.

POINT OF DIVERSION 01 IS USED TO CONVEY TWIN LAKES CREEK WATER TO SILVER LAKE. IF NOT DIVERTED AT POINT OF DIVERSION 01, TWIN LAKES CREEK WATER FLOWS INTO WARM SPRINGS CREEK. TWIN LAKES CREEK WATER CAN BE STORED IN EITHER SILVER LAKE OR GEORGETOWN LAKE FOR LATER RELEASE. SEE CLAIM W090423-00 FOR MORE INFORMATION ON THE USE OF THESE RESERVOIRS. WARM SPRINGS CREEK IS USED AS A NATURAL CARRIER TO THE SECONDARY POINT OF DIVERSION LOCATED AT THE MEYERS DAM IN THE NESESE OF SECTION 25, T5N, R12W.

Reservoir: OFF STREAM **Reservoir Name** SILVER LAKE

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
SWSESW		22	5N	13W	DEER LODGE

Diversion to Reservoir: DIVERSION # 1

Surface Area: 322.00 ACRES

Original Capacity: 13,000.00 ACRE-FEET

Period of Use: APRIL 20 to OCTOBER 20
JANUARY 1 to DECEMBER 31

Purpose (Use): INDUSTRIAL

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			SW	17	3N	7W	SILVER BOW
2				35	3N	9W	SILVER BOW

Purpose (Use): FISHERY

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			SE	24	3N	8W	SILVER BOW
2			SW	31	5N	9W	SILVER BOW

Purpose (Use): FISHERY

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			SWSESW	22	5N	13W	DEER LODGE
2			NWNESW	25	10N	11W	POWELL

Purpose (Use): IRRIGATION

Period of Use: APRIL 20 to OCTOBER 20

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	26.40		SWSW	25	3N	8W	SILVER BOW
Total:	26.40						

THE PLACE OF USE FOR FISHERIES BEGINS AT THE SILVER LAKE DAM LOCATED IN THE SWSESW OF SEC 22, TWP 5N, RGE 13W, DEER LODGE CO. AND ENDS AT THE CLARK FORK RIVER USGS GAGING STATION AT GOLD CREEK (NO. 12324680) LOCATED IN THE NWNESW OF SEC 25, TWP 10N, RGE 11W, POWELL CO. THIS AREA INCLUDES WARM SPRINGS CREEK AND THE CLARK FORK RIVER. IN ADDITION WATER DIVERTED AT MEYERS DAM MAY BE USED FOR INSTREAM FLOWS IN SILVER BOW CREEK.

Remarks:

- NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/30/1986.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/18/1990.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/13/1989.
- OWNERSHIP OF WATER RIGHT CHANGED BY ORDER OF THE WATER COURT ON 11/30/1994.
- NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/10/1997.
- THIS TEMPORARY RIGHT EXPIRES ON 12/31/2016