

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: 76N 125799-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: AVISTA CORPORATION
PO BOX 3727 MSC-1
SPOKANE, WA 99220-3727

Priority Date: FEBRUARY 20, 1951

Enforceable Priority Date: FEBRUARY 20, 1951

Type of Historical Right: FILED

Purpose (use): POWER GENERATION
NOXON RAPIDS HYDROELECTRIC PROJECT
THE AUGUST 27, 1986 DECISION IN CASE 76N-46 STATES THAT THIS GENERAL POWER GENERATION DESCRIPTION INCLUDES POWER GENERATION, RESERVOIR STORAGE AND RELEASE FOR POWER GENERATION AND REREGULATION OF THE FLOWS IN THE CLARK FORK RIVER AND TO PROVIDE HYDRAULIC HEAD FOR POWER GENERATION.

Maximum Flow Rate: 35,000.00 CFS

Maximum Volume: ##### AC-FT
THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.
THE AUGUST 27, 1986 DECISION IN CASE 76N-46 DESCRIBES THE VOLUME AS FOLLOWS:
-PERTAINING TO POWER GENERATION: 25,338,843.00 ACRE-FEET PER YEAR.
-PERTAINING TO RESERVOIR STORAGE AND RELEASE: 267,000.00 ACRE-FEET OF WATER USED TO MAINTAIN MINIMUM RESERVOIR ELEVATION; 230,700.00 ACRE-FEET OF WATER USED ONCE A YEAR FOR STREAM FLOW REGULATION PURPOSES, AND 38,400.00 ACRE-FEET OF WATER USABLE AT ANY TIME TO MEET ELECTRIC SYSTEM LOAD REQUIREMENTS AND TO REGULATE STREAM FLOW CONDITIONS.

Source Name: CLARK FORK RIVER
Source Type: SURFACE WATER
TRIBUTARY OF COLUMBIA RIVER

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		S2S2	33	26N	32W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: DAM

THE AUGUST 27, 1986 DECISION IN CASE 76N-46 DESCRIBES THE POINT OF DIVERSION AND ITS LOCATION AS THE NOXON RAPIDS DAM, POWERHOUSE, AND RESERVOIR ON THE CLARK FORK RIVER IN SANDERS COUNTY, MONTANA. THE DAM AND POWERHOUSE ARE LOCATED AT: S2S2, SEC 33, TWP 26N, RGE 32W, SANDERS COUNTY, MONTANA.

NOXON RESERVOIR: FROM THE DAM AND POWERHOUSE ON THE CLARK FORK RIVER THENCE UPSTREAM AT AN ELEVATION OF APPROXIMATELY 2,331 FEET ABOVE MEAN SEA LEVEL TO A POINT NEAR THOMPSON FALLS, MONTANA.

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			S2S2	33	26N	32W	SANDERS

THE AUGUST 27, 1986 DECISION IN CASE 76N-46 DESCRIBES THE PLACE OF USE AND ITS LOCATION AS THE NOXON RAPIDS DAM, POWERHOUSE, AND RESERVOIR ON THE CLARK FORK RIVER IN SANDERS COUNTY, MONTANA. THE DAM AND POWERHOUSE ARE LOCATED AT: S2S2, SEC 33, TWP 26N, RGE 32W, SANDERS COUNTY, MONTANA.

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Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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

IMPLIED CLAIM NO. 211889-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 24053 RECEIVED 08/22/2005.