

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:** 41M 162026-00 STATEMENT OF CLAIM  
**Version:** 2 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** PONDERA COUNTY CANAL & RESERVOIR CO  
PO BOX 245  
VALIER, MT 59486

**Priority Date:** JANUARY 14, 1913

**Enforceable Priority Date:** JANUARY 14, 1913

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 1,000.00 CFS

PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.

THE COMBINED VOLUME OF THE WATER RIGHTS ON THE SWIFT RESERVOIR IS GREATER THAN 2 TIMES THE CAPACITY OF SWIFT RESERVOIR. IT APPEARS THIS WATER RIGHT IS PART OF A DIRECT FLOW SYSTEM.

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.  
PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 85,357.80

**Source Name:** BIRCH 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	1	NE	27	28N	10W	PONDERA

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

**Diversion Means:** DAM

2		NENSW	27	29N	8W	PONDERA
---	--	-------	----	-----	----	---------

**Period of Diversion:** APRIL 1 TO OCTOBER 14

**Diversion Means:** HEADGATE

**Ditch Name:** B CANAL

WATER STORED IN THE SWIFT RESERVOIR IS RELEASED INTO BIRCH CREEK WHICH IS USED AS A NATURAL CARRIER TO THE B CANAL LOCATED IN THE NENSW OF SEC 27 TWP 29N RGE 8W PONDERA COUNTY.

**Reservoir:** ON STREAM **Reservoir Name** SWIFT RESERVOIR

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	NE	27	28N	10W	PONDERA

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 205.00 FEET

**Depth:** 172.00 FEET

**Surface Area:** 488.00 ACRES

**Current Capacity:** 30,000.00 ACRE-FEET

**Reservoir:** OFF STREAM **Reservoir Name** LAKE FRANCIS

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	E2NENE	23	29N	5W	PONDERA

**Diversion to Reservoir:** DIVERSION # 2

**Dam Height:** 64.00 FEET

**Depth:** 57.00 FEET

**Surface Area:** 5,300.00 ACRES

**Current Capacity:** 105,000.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: APRIL 1 to OCTOBER 14

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	640.00			1	28N	1W	PONDERA
2	640.00			2	28N	1W	PONDERA
3	640.00			3	28N	1W	PONDERA
4	640.00			4	28N	1W	PONDERA
5	640.00			5	28N	1W	PONDERA
6	640.00			6	28N	1W	PONDERA
7	640.00			7	28N	1W	PONDERA
8	640.00			8	28N	1W	PONDERA
9	640.00			9	28N	1W	PONDERA
10	640.00			10	28N	1W	PONDERA
11	640.00			11	28N	1W	PONDERA
12	640.00			12	28N	1W	PONDERA
13	640.00			13	28N	1W	PONDERA
14	640.00			14	28N	1W	PONDERA
15	640.00			15	28N	1W	PONDERA
16	640.00			16	28N	1W	PONDERA
17	640.00			17	28N	1W	PONDERA
18	640.00			18	28N	1W	PONDERA
19	640.00			19	28N	1W	PONDERA
20	640.00			20	28N	1W	PONDERA
21	640.00			21	28N	1W	PONDERA
22	640.00			22	28N	1W	PONDERA
23	640.00			23	28N	1W	PONDERA
24	640.00			24	28N	1W	PONDERA
25	640.00			25	28N	1W	PONDERA
26	640.00			26	28N	1W	PONDERA
27	640.00			27	28N	1W	PONDERA
28	640.00			28	28N	1W	PONDERA
29	640.00			29	28N	1W	PONDERA
30	640.00			30	28N	1W	PONDERA
31	640.00			31	28N	1W	PONDERA
32	640.00			32	28N	1W	PONDERA
33	640.00			33	28N	1W	PONDERA
34	640.00			34	28N	1W	PONDERA
35	640.00			35	28N	1W	PONDERA
36	640.00			36	28N	1W	PONDERA
37	640.00			1	28N	2W	PONDERA
38	640.00			2	28N	2W	PONDERA
39	640.00			3	28N	2W	PONDERA
40	640.00			4	28N	2W	PONDERA
41	640.00			5	28N	2W	PONDERA
42	640.00			6	28N	2W	PONDERA
43	640.00			7	28N	2W	PONDERA
44	640.00			8	28N	2W	PONDERA
45	640.00			9	28N	2W	PONDERA
46	640.00			10	28N	2W	PONDERA
47	640.00			11	28N	2W	PONDERA
48	640.00			12	28N	2W	PONDERA
49	640.00			13	28N	2W	PONDERA
50	640.00			14	28N	2W	PONDERA
51	640.00			15	28N	2W	PONDERA
52	640.00			16	28N	2W	PONDERA
53	640.00			17	28N	2W	PONDERA
54	640.00			18	28N	2W	PONDERA
55	640.00			19	28N	2W	PONDERA
56	640.00			20	28N	2W	PONDERA
57	640.00			21	28N	2W	PONDERA
58	640.00			22	28N	2W	PONDERA
59	640.00			23	28N	2W	PONDERA
60	640.00			24	28N	2W	PONDERA
61	640.00			25	28N	2W	PONDERA
62	640.00			26	28N	2W	PONDERA
63	640.00			27	28N	2W	PONDERA
64	640.00			28	28N	2W	PONDERA
65	640.00			29	28N	2W	PONDERA
66	640.00			30	28N	2W	PONDERA

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
67	640.00			31	28N	2W	PONDERA
68	640.00			32	28N	2W	PONDERA
69	640.00			33	28N	2W	PONDERA
70	640.00			34	28N	2W	PONDERA
71	640.00			35	28N	2W	PONDERA
72	640.00			36	28N	2W	PONDERA
73	640.00			1	28N	3W	PONDERA
74	640.00			2	28N	3W	PONDERA
75	640.00			3	28N	3W	PONDERA
76	640.00			4	28N	3W	PONDERA
77	640.00			5	28N	3W	PONDERA
78	640.00			6	28N	3W	PONDERA
79	640.00			7	28N	3W	PONDERA
80	640.00			8	28N	3W	PONDERA
81	640.00			9	28N	3W	PONDERA
82	640.00			10	28N	3W	PONDERA
83	640.00			11	28N	3W	PONDERA
84	640.00			12	28N	3W	PONDERA
85	640.00			13	28N	3W	PONDERA
86	640.00			14	28N	3W	PONDERA
87	640.00			15	28N	3W	PONDERA
88	640.00			16	28N	3W	PONDERA
89	640.00			17	28N	3W	PONDERA
90	640.00			18	28N	3W	PONDERA
91	640.00			19	28N	3W	PONDERA
92	640.00			20	28N	3W	PONDERA
93	640.00			21	28N	3W	PONDERA
94	640.00			22	28N	3W	PONDERA
95	640.00			23	28N	3W	PONDERA
96	640.00			24	28N	3W	PONDERA
97	640.00			25	28N	3W	PONDERA
98	640.00			26	28N	3W	PONDERA
99	640.00			27	28N	3W	PONDERA
100	640.00			28	28N	3W	PONDERA
101	640.00			29	28N	3W	PONDERA
102	640.00			30	28N	3W	PONDERA
103	640.00			31	28N	3W	PONDERA
104	640.00			32	28N	3W	PONDERA
105	640.00			33	28N	3W	PONDERA
106	640.00			34	28N	3W	PONDERA
107	640.00			35	28N	3W	PONDERA
108	640.00			36	28N	3W	PONDERA
109	640.00			1	29N	1W	PONDERA
110	640.00			2	29N	1W	PONDERA
111	640.00			3	29N	1W	PONDERA
112	640.00			4	29N	1W	PONDERA
113	640.00			5	29N	1W	PONDERA
114	640.00			6	29N	1W	PONDERA
115	640.00			7	29N	1W	PONDERA
116	640.00			8	29N	1W	PONDERA
117	640.00			9	29N	1W	PONDERA
118	640.00			10	29N	1W	PONDERA
119	640.00			11	29N	1W	PONDERA
120	640.00			12	29N	1W	PONDERA
121	640.00			13	29N	1W	PONDERA
122	640.00			14	29N	1W	PONDERA
123	640.00			15	29N	1W	PONDERA
124	640.00			16	29N	1W	PONDERA
125	640.00			17	29N	1W	PONDERA
126	640.00			18	29N	1W	PONDERA
127	640.00			19	29N	1W	PONDERA
128	640.00			20	29N	1W	PONDERA
129	640.00			21	29N	1W	PONDERA
130	640.00			22	29N	1W	PONDERA
131	640.00			23	29N	1W	PONDERA
132	640.00			24	29N	1W	PONDERA
133	640.00			25	29N	1W	PONDERA
134	640.00			26	29N	1W	PONDERA

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
135	640.00			27	29N	1W	PONDERA
136	640.00			28	29N	1W	PONDERA
137	640.00			29	29N	1W	PONDERA
138	640.00			30	29N	1W	PONDERA
139	640.00			31	29N	1W	PONDERA
140	640.00			32	29N	1W	PONDERA
141	640.00			33	29N	1W	PONDERA
142	640.00			34	29N	1W	PONDERA
143	640.00			35	29N	1W	PONDERA
144	640.00			36	29N	1W	PONDERA
145	640.00			1	29N	2W	PONDERA
146	640.00			2	29N	2W	PONDERA
147	640.00			3	29N	2W	PONDERA
148	640.00			4	29N	2W	PONDERA
149	640.00			5	29N	2W	PONDERA
150	640.00			6	29N	2W	PONDERA
151	640.00			7	29N	2W	PONDERA
152	640.00			8	29N	2W	PONDERA
153	640.00			9	29N	2W	PONDERA
154	640.00			10	29N	2W	PONDERA
155	640.00			11	29N	2W	PONDERA
156	640.00			12	29N	2W	PONDERA
157	640.00			13	29N	2W	PONDERA
158	640.00			14	29N	2W	PONDERA
159	640.00			15	29N	2W	PONDERA
160	640.00			16	29N	2W	PONDERA
161	640.00			17	29N	2W	PONDERA
162	640.00			18	29N	2W	PONDERA
163	640.00			19	29N	2W	PONDERA
164	640.00			20	29N	2W	PONDERA
165	640.00			21	29N	2W	PONDERA
166	640.00			22	29N	2W	PONDERA
167	640.00			23	29N	2W	PONDERA
168	640.00			24	29N	2W	PONDERA
169	640.00			25	29N	2W	PONDERA
170	640.00			26	29N	2W	PONDERA
171	640.00			27	29N	2W	PONDERA
172	640.00			28	29N	2W	PONDERA
173	640.00			29	29N	2W	PONDERA
174	640.00			30	29N	2W	PONDERA
175	640.00			31	29N	2W	PONDERA
176	640.00			32	29N	2W	PONDERA
177	640.00			33	29N	2W	PONDERA
178	640.00			34	29N	2W	PONDERA
179	640.00			35	29N	2W	PONDERA
180	640.00			36	29N	2W	PONDERA
181	640.00			1	29N	3W	PONDERA
182	640.00			2	29N	3W	PONDERA
183	640.00			3	29N	3W	PONDERA
184	640.00			4	29N	3W	PONDERA
185	640.00			5	29N	3W	PONDERA
186	640.00			6	29N	3W	PONDERA
187	640.00			7	29N	3W	PONDERA
188	640.00			8	29N	3W	PONDERA
189	640.00			9	29N	3W	PONDERA
190	640.00			10	29N	3W	PONDERA
191	640.00			11	29N	3W	PONDERA
192	640.00			12	29N	3W	PONDERA
193	640.00			13	29N	3W	PONDERA
194	640.00			14	29N	3W	PONDERA
195	640.00			15	29N	3W	PONDERA
196	640.00			16	29N	3W	PONDERA
197	640.00			17	29N	3W	PONDERA
198	640.00			18	29N	3W	PONDERA
199	640.00			19	29N	3W	PONDERA
200	640.00			20	29N	3W	PONDERA
201	640.00			21	29N	3W	PONDERA
202	640.00			22	29N	3W	PONDERA

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>
203	640.00			23	29N	3W	PONDERA
204	640.00			24	29N	3W	PONDERA
205	640.00			25	29N	3W	PONDERA
206	640.00			26	29N	3W	PONDERA
207	640.00			27	29N	3W	PONDERA
208	640.00			28	29N	3W	PONDERA
209	640.00			29	29N	3W	PONDERA
210	640.00			30	29N	3W	PONDERA
211	640.00			31	29N	3W	PONDERA
212	640.00			32	29N	3W	PONDERA
213	640.00			33	29N	3W	PONDERA
214	640.00			34	29N	3W	PONDERA
215	640.00			35	29N	3W	PONDERA
216	640.00			36	29N	3W	PONDERA
217	640.00			1	29N	4W	PONDERA
218	640.00			2	29N	4W	PONDERA
219	640.00			3	29N	4W	PONDERA
220	640.00			4	29N	4W	PONDERA
221	640.00			5	29N	4W	PONDERA
222	640.00			6	29N	4W	PONDERA
223	640.00			7	29N	4W	PONDERA
224	640.00			8	29N	4W	PONDERA
225	640.00			9	29N	4W	PONDERA
226	640.00			10	29N	4W	PONDERA
227	640.00			11	29N	4W	PONDERA
228	640.00			12	29N	4W	PONDERA
229	640.00			13	29N	4W	PONDERA
230	640.00			14	29N	4W	PONDERA
231	640.00			15	29N	4W	PONDERA
232	640.00			16	29N	4W	PONDERA
233	640.00			17	29N	4W	PONDERA
234	640.00			18	29N	4W	PONDERA
235	640.00			19	29N	4W	PONDERA
236	640.00			20	29N	4W	PONDERA
237	640.00			21	29N	4W	PONDERA
238	640.00			22	29N	4W	PONDERA
239	640.00			23	29N	4W	PONDERA
240	640.00			24	29N	4W	PONDERA
241	640.00			25	29N	4W	PONDERA
242	640.00			26	29N	4W	PONDERA
243	640.00			27	29N	4W	PONDERA
244	640.00			28	29N	4W	PONDERA
245	640.00			29	29N	4W	PONDERA
246	640.00			30	29N	4W	PONDERA
247	640.00			31	29N	4W	PONDERA
248	640.00			32	29N	4W	PONDERA
249	640.00			33	29N	4W	PONDERA
250	640.00			34	29N	4W	PONDERA
251	640.00			35	29N	4W	PONDERA
252	640.00			36	29N	4W	PONDERA
253	640.00			1	29N	5W	PONDERA
254	640.00			2	29N	5W	PONDERA
255	512.00			3	29N	5W	PONDERA
256	251.00			4	29N	5W	PONDERA
257	13.00		NWNW	5	29N	5W	PONDERA
258	449.00			6	29N	5W	PONDERA
259	281.00			7	29N	5W	PONDERA
260	61.00		NE	10	29N	5W	PONDERA
261	577.00			11	29N	5W	PONDERA
262	640.00			12	29N	5W	PONDERA
263	640.00			13	29N	5W	PONDERA
264	359.00			14	29N	5W	PONDERA
265	8.70		E2NE	15	29N	5W	PONDERA
266	129.40		S2S2	15	29N	5W	PONDERA
267	156.00		S2	16	29N	5W	PONDERA
268	365.00			17	29N	5W	PONDERA
269	615.00			18	29N	5W	PONDERA
270	640.00			19	29N	5W	PONDERA

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>
271	640.00			20	29N	5W	PONDERA
272	640.00			21	29N	5W	PONDERA
273	640.00			22	29N	5W	PONDERA
274	628.00			23	29N	5W	PONDERA
275	640.00			24	29N	5W	PONDERA
276	640.00			25	29N	5W	PONDERA
277	640.00			26	29N	5W	PONDERA
278	640.00			27	29N	5W	PONDERA
279	640.00			28	29N	5W	PONDERA
280	640.00			29	29N	5W	PONDERA
281	640.00			30	29N	5W	PONDERA
282	640.00			31	29N	5W	PONDERA
283	640.00			32	29N	5W	PONDERA
284	640.00			33	29N	5W	PONDERA
285	640.00			34	29N	5W	PONDERA
286	640.00			35	29N	5W	PONDERA
287	640.00			36	29N	5W	PONDERA
288	640.00			1	29N	6W	PONDERA
289	640.00			2	29N	6W	PONDERA
290	640.00			3	29N	6W	PONDERA
291	640.00			4	29N	6W	PONDERA
292	640.00			5	29N	6W	PONDERA
293	640.00			6	29N	6W	PONDERA
294	640.00			7	29N	6W	PONDERA
295	640.00			8	29N	6W	PONDERA
296	640.00			9	29N	6W	PONDERA
297	640.00			10	29N	6W	PONDERA
298	640.00			11	29N	6W	PONDERA
299	640.00			12	29N	6W	PONDERA
300	640.00			13	29N	6W	PONDERA
301	640.00			14	29N	6W	PONDERA
302	640.00			15	29N	6W	PONDERA
303	640.00			16	29N	6W	PONDERA
304	640.00			17	29N	6W	PONDERA
305	640.00			18	29N	6W	PONDERA
306	640.00			19	29N	6W	PONDERA
307	640.00			20	29N	6W	PONDERA
308	640.00			21	29N	6W	PONDERA
309	640.00			22	29N	6W	PONDERA
310	640.00			23	29N	6W	PONDERA
311	640.00			24	29N	6W	PONDERA
312	640.00			25	29N	6W	PONDERA
313	640.00			26	29N	6W	PONDERA
314	640.00			27	29N	6W	PONDERA
315	640.00			28	29N	6W	PONDERA
316	640.00			29	29N	6W	PONDERA
317	640.00			30	29N	6W	PONDERA
318	640.00			31	29N	6W	PONDERA
319	640.00			32	29N	6W	PONDERA
320	640.00			33	29N	6W	PONDERA
321	640.00			34	29N	6W	PONDERA
322	640.00			35	29N	6W	PONDERA
323	640.00			36	29N	6W	PONDERA
324	640.00			1	29N	7W	PONDERA
325	640.00			2	29N	7W	PONDERA
326	640.00			3	29N	7W	PONDERA
327	640.00			4	29N	7W	PONDERA
328	640.00			5	29N	7W	PONDERA
329	640.00			6	29N	7W	PONDERA
330	640.00			7	29N	7W	PONDERA
331	640.00			8	29N	7W	PONDERA
332	640.00			9	29N	7W	PONDERA
333	640.00			10	29N	7W	PONDERA
334	640.00			11	29N	7W	PONDERA
335	640.00			12	29N	7W	PONDERA
336	640.00			13	29N	7W	PONDERA
337	640.00			14	29N	7W	PONDERA
338	640.00			15	29N	7W	PONDERA

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>
339	640.00			16	29N	7W	PONDERA
340	640.00			17	29N	7W	PONDERA
341	640.00			18	29N	7W	PONDERA
342	640.00			19	29N	7W	PONDERA
343	640.00			20	29N	7W	PONDERA
344	640.00			21	29N	7W	PONDERA
345	640.00			22	29N	7W	PONDERA
346	640.00			23	29N	7W	PONDERA
347	640.00			24	29N	7W	PONDERA
348	640.00			25	29N	7W	PONDERA
349	640.00			26	29N	7W	PONDERA
350	640.00			27	29N	7W	PONDERA
351	640.00			28	29N	7W	PONDERA
352	640.00			29	29N	7W	PONDERA
353	640.00			30	29N	7W	PONDERA
354	640.00			31	29N	7W	PONDERA
355	640.00			32	29N	7W	PONDERA
356	640.00			33	29N	7W	PONDERA
357	640.00			34	29N	7W	PONDERA
358	640.00			35	29N	7W	PONDERA
359	640.00			36	29N	7W	PONDERA
360	429.00			1	29N	8W	PONDERA
361	30.00		E2SE	11	29N	8W	PONDERA
362	626.00			12	29N	8W	PONDERA
363	640.00			13	29N	8W	PONDERA
364	247.00		E2	14	29N	8W	PONDERA
365	22.00		SESE	22	29N	8W	PONDERA
366	448.00			23	29N	8W	PONDERA
367	640.00			24	29N	8W	PONDERA
368	640.00			25	29N	8W	PONDERA
369	640.00			26	29N	8W	PONDERA
370	507.00			27	29N	8W	PONDERA
371	640.00			34	29N	8W	PONDERA
372	640.00			35	29N	8W	PONDERA
373	640.00			36	29N	8W	PONDERA
374	640.00			1	30N	2W	PONDERA
375	640.00			2	30N	2W	PONDERA
376	640.00			3	30N	2W	PONDERA
377	640.00			4	30N	2W	PONDERA
378	640.00			5	30N	2W	PONDERA
379	640.00			6	30N	2W	PONDERA
380	640.00			7	30N	2W	PONDERA
381	640.00			8	30N	2W	PONDERA
382	640.00			9	30N	2W	PONDERA
383	640.00			10	30N	2W	PONDERA
384	640.00			11	30N	2W	PONDERA
385	640.00			12	30N	2W	PONDERA
386	640.00			13	30N	2W	PONDERA
387	640.00			14	30N	2W	PONDERA
388	640.00			15	30N	2W	PONDERA
389	640.00			16	30N	2W	PONDERA
390	640.00			17	30N	2W	PONDERA
391	640.00			18	30N	2W	PONDERA
392	640.00			19	30N	2W	PONDERA
393	640.00			20	30N	2W	PONDERA
394	640.00			21	30N	2W	PONDERA
395	640.00			22	30N	2W	PONDERA
396	640.00			23	30N	2W	PONDERA
397	640.00			24	30N	2W	PONDERA
398	640.00			25	30N	2W	PONDERA
399	640.00			26	30N	2W	PONDERA
400	640.00			27	30N	2W	PONDERA
401	640.00			28	30N	2W	PONDERA
402	640.00			29	30N	2W	PONDERA
403	640.00			30	30N	2W	PONDERA
404	640.00			31	30N	2W	PONDERA
405	640.00			32	30N	2W	PONDERA
406	640.00			33	30N	2W	PONDERA

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>
407	640.00			34	30N	2W	PONDERA
408	640.00			35	30N	2W	PONDERA
409	640.00			36	30N	2W	PONDERA
410	640.00			1	30N	3W	PONDERA
411	640.00			2	30N	3W	PONDERA
412	640.00			3	30N	3W	PONDERA
413	640.00			4	30N	3W	PONDERA
414	640.00			5	30N	3W	PONDERA
415	640.00			6	30N	3W	PONDERA
416	640.00			7	30N	3W	PONDERA
417	640.00			8	30N	3W	PONDERA
418	640.00			9	30N	3W	PONDERA
419	640.00			10	30N	3W	PONDERA
420	640.00			11	30N	3W	PONDERA
421	640.00			12	30N	3W	PONDERA
422	640.00			13	30N	3W	PONDERA
423	640.00			14	30N	3W	PONDERA
424	640.00			15	30N	3W	PONDERA
425	640.00			16	30N	3W	PONDERA
426	640.00			17	30N	3W	PONDERA
427	640.00			18	30N	3W	PONDERA
428	640.00			19	30N	3W	PONDERA
429	640.00			20	30N	3W	PONDERA
430	640.00			21	30N	3W	PONDERA
431	640.00			22	30N	3W	PONDERA
432	640.00			23	30N	3W	PONDERA
433	640.00			24	30N	3W	PONDERA
434	640.00			25	30N	3W	PONDERA
435	640.00			26	30N	3W	PONDERA
436	640.00			27	30N	3W	PONDERA
437	640.00			28	30N	3W	PONDERA
438	640.00			29	30N	3W	PONDERA
439	640.00			30	30N	3W	PONDERA
440	640.00			31	30N	3W	PONDERA
441	640.00			32	30N	3W	PONDERA
442	640.00			33	30N	3W	PONDERA
443	640.00			34	30N	3W	PONDERA
444	640.00			35	30N	3W	PONDERA
445	640.00			36	30N	3W	PONDERA
446	640.00			1	30N	4W	PONDERA
447	640.00			2	30N	4W	PONDERA
448	640.00			3	30N	4W	PONDERA
449	640.00			4	30N	4W	PONDERA
450	640.00			5	30N	4W	PONDERA
451	640.00			6	30N	4W	PONDERA
452	640.00			7	30N	4W	PONDERA
453	640.00			8	30N	4W	PONDERA
454	640.00			9	30N	4W	PONDERA
455	640.00			10	30N	4W	PONDERA
456	640.00			11	30N	4W	PONDERA
457	640.00			12	30N	4W	PONDERA
458	640.00			13	30N	4W	PONDERA
459	640.00			14	30N	4W	PONDERA
460	640.00			15	30N	4W	PONDERA
461	640.00			16	30N	4W	PONDERA
462	640.00			17	30N	4W	PONDERA
463	640.00			18	30N	4W	PONDERA
464	640.00			19	30N	4W	PONDERA
465	640.00			20	30N	4W	PONDERA
466	640.00			21	30N	4W	PONDERA
467	640.00			22	30N	4W	PONDERA
468	640.00			23	30N	4W	PONDERA
469	640.00			24	30N	4W	PONDERA
470	640.00			25	30N	4W	PONDERA
471	640.00			26	30N	4W	PONDERA
472	640.00			27	30N	4W	PONDERA
473	640.00			28	30N	4W	PONDERA
474	640.00			29	30N	4W	PONDERA



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>
475	640.00			30	30N	4W	PONDERA
476	640.00			31	30N	4W	PONDERA
477	640.00			32	30N	4W	PONDERA
478	640.00			33	30N	4W	PONDERA
479	640.00			34	30N	4W	PONDERA
480	640.00			35	30N	4W	PONDERA
481	640.00			36	30N	4W	PONDERA
482	640.00			1	30N	5W	PONDERA
483	640.00			2	30N	5W	PONDERA
484	640.00			3	30N	5W	PONDERA
485	640.00			4	30N	5W	PONDERA
486	640.00			5	30N	5W	PONDERA
487	640.00			6	30N	5W	PONDERA
488	640.00			7	30N	5W	PONDERA
489	640.00			8	30N	5W	PONDERA
490	640.00			9	30N	5W	PONDERA
491	640.00			10	30N	5W	PONDERA
492	640.00			11	30N	5W	PONDERA
493	640.00			12	30N	5W	PONDERA
494	640.00			13	30N	5W	PONDERA
495	640.00			14	30N	5W	PONDERA
496	640.00			15	30N	5W	PONDERA
497	640.00			16	30N	5W	PONDERA
498	640.00			17	30N	5W	PONDERA
499	640.00			18	30N	5W	PONDERA
500	640.00			19	30N	5W	PONDERA
501	640.00			20	30N	5W	PONDERA
502	640.00			21	30N	5W	PONDERA
503	640.00			22	30N	5W	PONDERA
504	640.00			23	30N	5W	PONDERA
505	640.00			24	30N	5W	PONDERA
506	640.00			25	30N	5W	PONDERA
507	640.00			26	30N	5W	PONDERA
508	640.00			27	30N	5W	PONDERA
509	640.00			28	30N	5W	PONDERA
510	640.00			29	30N	5W	PONDERA
511	640.00			30	30N	5W	PONDERA
512	640.00			31	30N	5W	PONDERA
513	589.00			32	30N	5W	PONDERA
514	568.00			33	30N	5W	PONDERA
515	640.00			34	30N	5W	PONDERA
516	640.00			35	30N	5W	PONDERA
517	640.00			36	30N	5W	PONDERA
518	355.00			1	30N	6W	PONDERA
519	2.00		E2SESE	11	30N	6W	PONDERA
520	566.00			12	30N	6W	PONDERA
521	612.00			13	30N	6W	PONDERA
522	142.00		E2	14	30N	6W	PONDERA
523	153.00		S2	19	30N	6W	PONDERA
524	39.00		S2S2	20	30N	6W	PONDERA
525	290.00			23	30N	6W	PONDERA
526	640.00			24	30N	6W	PONDERA
527	445.00			25	30N	6W	PONDERA
528	11.40		E2NENE	26	30N	6W	PONDERA
529	6.00		S2SESE	26	30N	6W	PONDERA
530	36.00		W2SW	28	30N	6W	PONDERA
531	578.00			29	30N	6W	PONDERA
532	640.00			30	30N	6W	PONDERA
533	640.00			31	30N	6W	PONDERA
534	640.00			32	30N	6W	PONDERA
535	485.00			33	30N	6W	PONDERA
536	393.00			34	30N	6W	PONDERA
537	641.00			35	30N	6W	PONDERA
538	685.00			36	30N	6W	PONDERA
539	86.00		S2	21	30N	7W	PONDERA
540	397.00			22	30N	7W	PONDERA
541	404.00			23	30N	7W	PONDERA
542	378.00			24	30N	7W	PONDERA

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>
543	640.00			25	30N	7W	PONDERA
544	640.00			26	30N	7W	PONDERA
545	640.00			27	30N	7W	PONDERA
546	597.00			28	30N	7W	PONDERA
547	236.00			29	30N	7W	PONDERA
548	519.00			31	30N	7W	PONDERA
549	640.00			32	30N	7W	PONDERA
550	640.00			33	30N	7W	PONDERA
551	640.00			34	30N	7W	PONDERA
552	640.00			35	30N	7W	PONDERA
553	640.00			36	30N	7W	PONDERA
554	39.00		SESE	36	30N	8W	PONDERA
555	52.00		S2S2	7	31N	3W	PONDERA
556	79.00		S2S2	8	31N	3W	PONDERA
557	371.00			16	31N	3W	PONDERA
558	640.00			17	31N	3W	PONDERA
559	609.00			18	31N	3W	PONDERA
560	640.00			19	31N	3W	PONDERA
561	640.00			20	31N	3W	PONDERA
562	640.00			21	31N	3W	PONDERA
563	640.00			28	31N	3W	PONDERA
564	640.00			29	31N	3W	PONDERA
565	640.00			30	31N	3W	PONDERA
566	640.00			31	31N	3W	PONDERA
567	640.00			32	31N	3W	PONDERA
568	640.00			33	31N	3W	PONDERA
569	19.00		S2SW	4	31N	4W	PONDERA
570	105.00		S2	5	31N	4W	PONDERA
571	228.00			6	31N	4W	PONDERA
572	598.00			7	31N	4W	PONDERA
573	603.00			8	31N	4W	PONDERA
574	559.00			9	31N	4W	PONDERA
575	118.00		S2	10	31N	4W	PONDERA
576	422.00			13	31N	4W	PONDERA
577	298.00			14	31N	4W	PONDERA
578	631.00			15	31N	4W	PONDERA
579	640.00			16	31N	4W	PONDERA
580	640.00			17	31N	4W	PONDERA
581	640.00			18	31N	4W	PONDERA
582	640.00			19	31N	4W	PONDERA
583	640.00			20	31N	4W	PONDERA
584	640.00			21	31N	4W	PONDERA
585	640.00			22	31N	4W	PONDERA
586	640.00			23	31N	4W	PONDERA
587	640.00			24	31N	4W	PONDERA
588	640.00			25	31N	4W	PONDERA
589	640.00			26	31N	4W	PONDERA
590	640.00			27	31N	4W	PONDERA
591	640.00			28	31N	4W	PONDERA
592	640.00			29	31N	4W	PONDERA
593	640.00			30	31N	4W	PONDERA
594	640.00			31	31N	4W	PONDERA
595	640.00			32	31N	4W	PONDERA
596	640.00			33	31N	4W	PONDERA
597	640.00			34	31N	4W	PONDERA
598	640.00			35	31N	4W	PONDERA
599	640.00			36	31N	4W	PONDERA
600	488.00			1	31N	5W	PONDERA
601	613.00			2	31N	5W	PONDERA
602	38.00		E2E2	3	31N	5W	PONDERA
603	168.00			10	31N	5W	PONDERA
604	640.00			11	31N	5W	PONDERA
605	640.00			12	31N	5W	PONDERA
606	640.00			13	31N	5W	PONDERA
607	640.00			14	31N	5W	PONDERA
608	618.00			15	31N	5W	PONDERA
609	108.00			16	31N	5W	PONDERA
610	366.00			21	31N	5W	PONDERA

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
611	640.00			22	31N	5W	PONDERA
612	640.00			23	31N	5W	PONDERA
613	640.00			24	31N	5W	PONDERA
614	640.00			25	31N	5W	PONDERA
615	640.00			26	31N	5W	PONDERA
616	640.00			27	31N	5W	PONDERA
617	640.00			28	31N	5W	PONDERA
618	248.00			29	31N	5W	PONDERA
619	420.00			31	31N	5W	PONDERA
620	613.00			32	31N	5W	PONDERA
621	640.00			33	31N	5W	PONDERA
622	640.00			34	31N	5W	PONDERA
623	640.00			35	31N	5W	PONDERA
624	640.00			36	31N	5W	PONDERA
625	35.00			36	31N	6W	PONDERA
626	16.00		E2E2SE	34	32N	5W	GLACIER
627	144.00		S2	35	32N	5W	GLACIER
<b>Total: 377,813.50</b>							

ONLY 85357.8 ACRES ARE IRRIGATED DURING ANY GIVEN IRRIGATION SEASON WITHIN THE 377813.5 ACRES DESCRIBED UNDER THIS RIGHT.

**Geocodes/Valid:** -- NO VALID GEOCODES --

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

161998-00	161999-00	162000-00	162001-00	162005-00	162007-00	162008-00
162009-00	162010-00	162011-00	162012-00	162014-00	162015-00	162016-00
162017-00	162018-00	162019-00	162020-00	162021-00	162022-00	162023-00
162024-00	162025-00	162026-00	162027-00	162028-00	162030-00	162031-00
162032-00	162033-00	162034-00	162035-00	162036-00	162037-00	162038-00
162039-00	162041-00	162042-00	162043-00	162044-00	162045-00	162046-00
162047-00	162048-00	162049-00	162050-00	162052-00	162053-00	162054-00
162055-00	162057-00	162058-00	162059-00	162060-00	162062-00	162066-00
162067-00	162068-00	215770-00				

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.

162026-00 162082-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/05/2007: POINT OF DIVERSION MEANS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

ELEMENTS OF THIS CLAIM WERE CHANGED PURSUANT TO THE WATER COURT'S DECISION IN CURRY V. PONDERA (WC-2006-01 (APRIL 25, 2014)). THE CURRY DECISION IS CURRENTLY ON APPEAL BEFORE THE MONTANA SUPREME COURT. SOME OR ALL OF THE ELEMENTS OF THIS CLAIM MAY BE ALTERED AS A RESULT OF THE SUPREME COURT'S DECISION.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 162014.

THE SERVICE AREA MAP RECEIVED ON NOVEMBER 23, 2005 CAN BE OBTAINED BY REVIEWING FILE NO. 161998.

DNRC MAP IDENTIFYING USDA AND WATER RESOURCE SURVEY VERIFIED ACRES CAN BE OBTAINED BY REVIEWING FILE NO. 161998.

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

PARENT FILE FOR THIS RIGHT IS 162013.

THIS APPROPRIATION OF WATER TAKES WATER FROM THE TWO MEDICINE RIVER DRAINAGE (BASIN 41M ) AND USES IT IN THE TWO MEDICINE RIVER DRAINAGE (BASIN 41M ) AND THE MARIAS RIVER DRAINAGE (BASIN 41P ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 162010, 162026.

THE CLAIMED FLOW RATE EXCEEDS THE CAPACITY OF THE DIVERSION AND CONVEYANCE SYSTEM WHICH IS 700 CFS.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 6710 CFS WHICH APPEARS TO EXCEED THE CAPACITY OF THE B CANAL. THE PONDERA COUNTY WATER RESOURCES SURVEY (1964) INDICATES THE DITCH CAPACITY TO BE 700 CFS.

THIS CLAIM DOES NOT APPEAR TO REFLECT THE WATER RIGHT AS IT WAS BEFORE JULY 1, 1973. SERVICE AREA MAP RECEIVED NOVEMBER 23, 2005 APPEARS TO INDICATE A POST-JUNE 30, 1973 EXPANSION OF THE NUMBER OF ACRES WITHIN THE SERVICE AREA BOUNDARY.

THE TOTAL ACREAGE OF THE SERVICE AREA IS IN QUESTION. ON FEBRUARY 5, 2007, THE SERVICE AREA WAS AMENDED TO INCLUDE FULL 640 ACRE SECTIONS. THIS RESULTED IN AN INCREASE OF 558 ACRES IN THE SERVICE AREA, 558 ACRES MORE THAN THE AREA CAN CONTAIN.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 78 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.