

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: 411 40802-00 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

TOSTON IRRIGATION DISTRICT
PO BOX 80
TOSTON, MT 59643

THIS IRRIGATION DISTRICT WAS ESTABLISHED UNDER TITLE 85, CHAPTER 7, MCA.
THE DISTRICT WAS CREATED BY DECREE NO. 4369 IN THE FIRST JUDICIAL DISTRICT
COURT IN TOWNSEND ON JULY 18, 1955.

Priority Date: SEPTEMBER 18, 1952

Enforceable Priority Date: SEPTEMBER 18, 1952

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 117.00 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT
PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 - MODERATE

Maximum Acres: 6,311.70

Source Name: MISSOURI 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	2	NENWNE	11	4N	2E	BROADWATER

Period of Diversion: APRIL 1 TO NOVEMBER 4

Diversion Means: PUMP

Ditch Name: TOSTON TUNNEL-TOSTON CANAL-LOMBARD CANAL

Period of Use: APRIL 1 to NOVEMBER 4

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	33.90		NESE	12	4N	1E	BROADWATER
2	37.20		NWSE	12	4N	1E	BROADWATER
3	33.90		SESE	12	4N	1E	BROADWATER
4	32.30		SWSE	12	4N	1E	BROADWATER
5	37.70		NENE	13	4N	1E	BROADWATER
6	35.30		NWNE	13	4N	1E	BROADWATER
7	44.70		SENE	13	4N	1E	BROADWATER
8	40.00		SWNE	13	4N	1E	BROADWATER
9	39.40		NENW	13	4N	1E	BROADWATER
10	39.00		SENE	13	4N	1E	BROADWATER
11	40.60		SWNW	13	4N	1E	BROADWATER
12	38.60		NESE	13	4N	1E	BROADWATER
13	41.20		NWSE	13	4N	1E	BROADWATER
14	40.10		SESE	13	4N	1E	BROADWATER
15	28.50		SWSE	13	4N	1E	BROADWATER
16	38.00		NESW	13	4N	1E	BROADWATER
17	39.60		NWSW	13	4N	1E	BROADWATER
18	40.60		SESW	13	4N	1E	BROADWATER
19	29.00		SWSW	13	4N	1E	BROADWATER
20	40.00		NENE	24	4N	1E	BROADWATER
21	40.00		NWNE	24	4N	1E	BROADWATER
22	35.90		SENE	24	4N	1E	BROADWATER
23	15.90		SWNE	24	4N	1E	BROADWATER
24	34.90		NENW	24	4N	1E	BROADWATER

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>
25	23.50		NWNW	24	4N	1E	BROADWATER
26	6.50		NESE	24	4N	1E	BROADWATER
27	25.80	1	NENE	3	4N	2E	BROADWATER
28	42.30	2	NWNE	3	4N	2E	BROADWATER
29	25.70		SWNE	3	4N	2E	BROADWATER
30	41.20	3	NENW	3	4N	2E	BROADWATER
31	33.80	4	NWNW	3	4N	2E	BROADWATER
32	40.00		SENW	3	4N	2E	BROADWATER
33	19.70		SWNW	3	4N	2E	BROADWATER
34	0.20		NWSE	3	4N	2E	BROADWATER
35	14.60		NESW	3	4N	2E	BROADWATER
36	28.60		NWSW	3	4N	2E	BROADWATER
37	0.20		SWSW	3	4N	2E	BROADWATER
38	43.70	1	NENE	4	4N	2E	BROADWATER
39	38.70	2	NWNE	4	4N	2E	BROADWATER
40	38.60		SENE	4	4N	2E	BROADWATER
41	35.90		SWNE	4	4N	2E	BROADWATER
42	41.70	3	NENW	4	4N	2E	BROADWATER
43	42.90	4	NWNW	4	4N	2E	BROADWATER
44	31.40		SENW	4	4N	2E	BROADWATER
45	38.20		SWNW	4	4N	2E	BROADWATER
46	40.30		NESE	4	4N	2E	BROADWATER
47	33.20		NWSE	4	4N	2E	BROADWATER
48	14.00		SESE	4	4N	2E	BROADWATER
49	38.50		SWSE	4	4N	2E	BROADWATER
50	37.40		NESW	4	4N	2E	BROADWATER
51	32.90		NWSW	4	4N	2E	BROADWATER
52	41.10		SESW	4	4N	2E	BROADWATER
53	29.70		SWSW	4	4N	2E	BROADWATER
54	19.30	1	NENE	5	4N	2E	BROADWATER
55	23.00		SENE	5	4N	2E	BROADWATER
56	9.60		SWNE	5	4N	2E	BROADWATER
57	3.40		SENW	5	4N	2E	BROADWATER
58	36.00		NESE	5	4N	2E	BROADWATER
59	38.80		NWSE	5	4N	2E	BROADWATER
60	35.00		SESE	5	4N	2E	BROADWATER
61	36.10		SWSE	5	4N	2E	BROADWATER
62	39.20		NESW	5	4N	2E	BROADWATER
63	32.90		NWSW	5	4N	2E	BROADWATER
64	39.20		SESW	5	4N	2E	BROADWATER
65	38.10		SWSW	5	4N	2E	BROADWATER
66	3.90		NESE	6	4N	2E	BROADWATER
67	26.40		SESE	6	4N	2E	BROADWATER
68	8.50		SWSE	6	4N	2E	BROADWATER
69	38.50		NENE	7	4N	2E	BROADWATER
70	39.50		NWNE	7	4N	2E	BROADWATER
71	39.40		SENE	7	4N	2E	BROADWATER
72	40.30		SWNE	7	4N	2E	BROADWATER
73	32.70		NENW	7	4N	2E	BROADWATER
74	24.00	1	NWNW	7	4N	2E	BROADWATER
75	39.70		SENW	7	4N	2E	BROADWATER
76	32.00	2	SWNW	7	4N	2E	BROADWATER
77	39.40		NESE	7	4N	2E	BROADWATER
78	40.30		NWSE	7	4N	2E	BROADWATER
79	38.30		SESE	7	4N	2E	BROADWATER
80	38.20		SWSE	7	4N	2E	BROADWATER
81	40.30		NESW	7	4N	2E	BROADWATER
82	39.20	3	NWSW	7	4N	2E	BROADWATER
83	38.20		SESW	7	4N	2E	BROADWATER
84	36.60	4	SWSW	7	4N	2E	BROADWATER
85	32.80		NENE	8	4N	2E	BROADWATER
86	39.50		NWNE	8	4N	2E	BROADWATER
87	40.30		SENE	8	4N	2E	BROADWATER
88	35.10		SWNE	8	4N	2E	BROADWATER
89	40.00		NENW	8	4N	2E	BROADWATER
90	37.70		NWNW	8	4N	2E	BROADWATER
91	40.50		SENW	8	4N	2E	BROADWATER
92	40.10		SWNW	8	4N	2E	BROADWATER

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>
93	35.00		NESE	8	4N	2E	BROADWATER
94	31.90		NWSE	8	4N	2E	BROADWATER
95	38.20		SESE	8	4N	2E	BROADWATER
96	35.10		SWSE	8	4N	2E	BROADWATER
97	36.50		NESW	8	4N	2E	BROADWATER
98	40.20		NWSW	8	4N	2E	BROADWATER
99	16.60		SESW	8	4N	2E	BROADWATER
100	39.70		SWSW	8	4N	2E	BROADWATER
101	3.20		NWNE	9	4N	2E	BROADWATER
102	35.10		NENW	9	4N	2E	BROADWATER
103	37.40		NWNW	9	4N	2E	BROADWATER
104	4.40		SENW	9	4N	2E	BROADWATER
105	26.50		SWNW	9	4N	2E	BROADWATER
106	1.40		NENE	17	4N	2E	BROADWATER
107	31.80		NWNE	17	4N	2E	BROADWATER
108	14.30		SENE	17	4N	2E	BROADWATER
109	40.00		SWNE	17	4N	2E	BROADWATER
110	35.00		NENW	17	4N	2E	BROADWATER
111	13.00		NWNW	17	4N	2E	BROADWATER
112	40.00		SENW	17	4N	2E	BROADWATER
113	30.10		SWNW	17	4N	2E	BROADWATER
114	6.70		NESE	17	4N	2E	BROADWATER
115	39.10		NWSE	17	4N	2E	BROADWATER
116	10.10		SWSE	17	4N	2E	BROADWATER
117	40.00		NESW	17	4N	2E	BROADWATER
118	20.80		NWSW	17	4N	2E	BROADWATER
119	11.00		SESW	17	4N	2E	BROADWATER
120	0.50		SWSW	17	4N	2E	BROADWATER
121	35.50		NENE	18	4N	2E	BROADWATER
122	40.60		NWNE	18	4N	2E	BROADWATER
123	33.80		SENE	18	4N	2E	BROADWATER
124	40.00		SWNE	18	4N	2E	BROADWATER
125	40.70		NENW	18	4N	2E	BROADWATER
126	38.80	1	NWNW	18	4N	2E	BROADWATER
127	27.40		SENW	18	4N	2E	BROADWATER
128	39.80	2	SWNW	18	4N	2E	BROADWATER
129	6.10		NESE	18	4N	2E	BROADWATER
130	31.20		NWSE	18	4N	2E	BROADWATER
131	10.10		SWSE	18	4N	2E	BROADWATER
132	39.90		NESW	18	4N	2E	BROADWATER
133	39.10	3	NWSW	18	4N	2E	BROADWATER
134	34.30		SESW	18	4N	2E	BROADWATER
135	40.00	4	SWSW	18	4N	2E	BROADWATER
136	28.20		NENW	19	4N	2E	BROADWATER
137	40.10	1	NWNW	19	4N	2E	BROADWATER
138	9.50		SENW	19	4N	2E	BROADWATER
139	32.90	2	SWNW	19	4N	2E	BROADWATER
140	16.80	3	NWSW	19	4N	2E	BROADWATER
141	23.80		SWSW	26	5N	2E	BROADWATER
142	14.90		SWNW	27	5N	2E	BROADWATER
143	14.80		NESE	27	5N	2E	BROADWATER
144	26.10		NWSE	27	5N	2E	BROADWATER
145	39.70		SESE	27	5N	2E	BROADWATER
146	39.60		SWSE	27	5N	2E	BROADWATER
147	31.30		NESW	27	5N	2E	BROADWATER
148	39.90		NWSW	27	5N	2E	BROADWATER
149	36.00		SESW	27	5N	2E	BROADWATER
150	37.20		SWSW	27	5N	2E	BROADWATER
151	40.10		NESE	28	5N	2E	BROADWATER
152	37.40		SESE	28	5N	2E	BROADWATER
153	36.10		SWSE	28	5N	2E	BROADWATER
154	41.20		NENE	33	5N	2E	BROADWATER
155	40.70		NWNE	33	5N	2E	BROADWATER
156	37.50		SENE	33	5N	2E	BROADWATER
157	40.80		SWNE	33	5N	2E	BROADWATER
158	40.60		NENW	33	5N	2E	BROADWATER
159	40.50		SENW	33	5N	2E	BROADWATER
160	40.70		SWNW	33	5N	2E	BROADWATER

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>
161	27.10		NESE	33	5N	2E	BROADWATER
162	39.60		NWSE	33	5N	2E	BROADWATER
163	32.90		SESE	33	5N	2E	BROADWATER
164	35.10		SWSE	33	5N	2E	BROADWATER
165	40.70		NESW	33	5N	2E	BROADWATER
166	40.40		NWSW	33	5N	2E	BROADWATER
167	37.80		SESW	33	5N	2E	BROADWATER
168	39.80		SWSW	33	5N	2E	BROADWATER
169	37.30		NENE	34	5N	2E	BROADWATER
170	37.30		NWNE	34	5N	2E	BROADWATER
171	36.80		SENE	34	5N	2E	BROADWATER
172	40.60		SWNE	34	5N	2E	BROADWATER
173	36.40		NENW	34	5N	2E	BROADWATER
174	32.00		NWNW	34	5N	2E	BROADWATER
175	33.10		SENW	34	5N	2E	BROADWATER
176	34.60		SWNW	34	5N	2E	BROADWATER
177	36.50		NESE	34	5N	2E	BROADWATER
178	38.50		NWSE	34	5N	2E	BROADWATER
179	39.40		SESE	34	5N	2E	BROADWATER
180	37.60		SWSE	34	5N	2E	BROADWATER
181	31.90		NESW	34	5N	2E	BROADWATER
182	38.20		NWSW	34	5N	2E	BROADWATER
183	37.30		SESW	34	5N	2E	BROADWATER
184	40.60		SWSW	34	5N	2E	BROADWATER
185	3.80		NWNE	35	5N	2E	BROADWATER
186	6.40		SENE	35	5N	2E	BROADWATER
187	32.20		SWNE	35	5N	2E	BROADWATER
188	27.40		NENW	35	5N	2E	BROADWATER
189	29.50		NWNW	35	5N	2E	BROADWATER
190	40.90		SENW	35	5N	2E	BROADWATER
191	36.80		SWNW	35	5N	2E	BROADWATER
192	39.10		NESE	35	5N	2E	BROADWATER
193	40.70		NESW	35	5N	2E	BROADWATER
194	40.70		NWSW	35	5N	2E	BROADWATER
195	14.80		SESW	35	5N	2E	BROADWATER
196	32.00		SWSW	35	5N	2E	BROADWATER
Total:	6,311.70						

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.

40802-00 40803-00 40804-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/28/82: POINT OF DIVERSION, PRIORITY DATE.

STORED WATER FROM CANYON FERRY RESERVOIR MAY BE RELEASED TO MAKE UP FOR UPSTREAM DEPLETION BY THE CROW CREEK PUMPING UNIT. REFER TO WATER RIGHT NO. 411-W-040918-00.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 26675 RECEIVED 11/30/2005.

AN IRRIGABLE LAND CLASSIFICATION MAP PREPARED BY THE BUREAU OF RECLAMATION, DATED JUNE 1964, APPEARS TO INDICATE 4,646.10 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

ACCORDING TO THE BUREAU OF RECLAMATION PROJECT REPORT COMPILED PRIOR TO PROJECT CONSTRUCTION, THE CROW CREEK PUMP UNIT CONTAINS A GROSS AREA OF 6,063.00 ACRES OF WHICH 5,020.0 ARE IRRIGABLE. SEE DOCUMENTATION IN THE FILE FOR THE LAND CLASSIFICATION STANDARD USED TO DETERMINE ACTUAL IRRIGABLE ACRES.

THE BROADWATER COUNTY WATER RESOURCES SURVEY (1956) APPEARS TO INDICATE 1,456.00 ACRES IRRIGATED. THERE WERE 3,989 ACRES POTENTIALLY IRRIGABLE AT THAT TIME. THESE TOTAL 5,445 ACRES.