

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: 41P 40769-00 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

Priority Date: AUGUST 29, 1952

Enforceable Priority Date: AUGUST 29, 1952

Type of Historical Right: FILED

Purpose (use): STOCK
WATER IS SUPPLIED TO THE DUGOUT WATER ASSOCIATION FOR RURAL DOMESTIC AND LIVESTOCK USE SEE EXHIBIT I IN CLAIM FILE 41P 40750-00.

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Maximum Volume: 100.00 AC-FT

Source Name: MARIAS RIVER

Source Type: SURFACE WATER

ALSO KNOWN AS TIBER RESERVOIR

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	3	SESWSW	28	30N	5E	LIBERTY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

2- SECONDARY	11	SWSWSW	17	29N	6E	LIBERTY
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: PUMP

THE MARIAS RIVER IS USED AS A NATURAL CARRIER TO CONVEY WATER FROM LAKE ELWELL(TIBER RESERVOIR) TO THE SECONDARY POINT(S) OF DIVERSION, DIVERSION NO(S). 2.

PIPELINE USED TO CONVEY WATER.

Reservoir: ON STREAM **Reservoir Name** LAKE ELWELL

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3	SESWSW	28	30N	5E	LIBERTY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 206.00 FEET

Depth: 197.00 FEET

Surface Area: 23,805.00 ACRES

Current Capacity: 967,320.00 ACRE-FEET

SEE THE NATIONAL INVENTORY OF DAMS REPORT IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

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				6	27N	6E	CHOUTEAU
2				7	27N	6E	CHOUTEAU
3				8	27N	6E	CHOUTEAU
4				9	27N	6E	CHOUTEAU
5				10	27N	6E	CHOUTEAU
6				15	27N	6E	CHOUTEAU
7				22	27N	6E	CHOUTEAU
8				6	28N	6E	LIBERTY
9				7	28N	6E	LIBERTY
10				17	28N	6E	LIBERTY
11				18	28N	6E	LIBERTY

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>
12				19	28N	6E	LIBERTY
13				22	28N	6E	LIBERTY
14				23	28N	6E	LIBERTY
15				24	28N	6E	LIBERTY
16				30	28N	6E	LIBERTY
17				31	28N	6E	LIBERTY
18				20	29N	6E	CHOUTEAU
19				30	29N	6E	LIBERTY
20				31	29N	6E	LIBERTY

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.

40750-00	40751-00	40752-00	40753-00	40755-00	40757-00	40765-00
40766-00	40767-00	40768-00	40769-00	40770-00	40771-00	40772-00
40774-00						

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 41P 40750-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

40750-00 40755-00 40769-00

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 41P 40750-00, 41P 40751-00, 41P 40752-00, 41P 40753-00, 41P 40755-00, 41P 40757-00, 41P 40758-00, 41P 40759-00, 41P 40760-00, 41P 40761-00, 41P 40762-00, 41P 40763-00, 41P 40764-00, 41P 40768-00, 41P 40769-00, 41P 40770-00, 41P 40771-00, 41P 40772-00, 41P 40774-00.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED EXHIBIT F IS 03/06/1956.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE RIGHT.