

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:** 43P 426-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** HARDIN, CITY OF  
406 N CHEYENNE AVE  
HARDIN, MT 59034

**Priority Date:** DECEMBER 31, 1914

**Enforceable Priority Date:** DECEMBER 31, 1914

THE NOTICE OF APPROPRIATION DATED 09/17/1968, INDICATED THE WATER WAS FIRST PUT TO USE IN 1914.

**Type of Historical Right:** FILED

**Purpose (use):** MUNICIPAL

**Maximum Flow Rate:** 15.00 CFS

**Maximum Volume:** 783.00 AC-FT

THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE GUIDELINE OF 783 ACRE FEET PER YEAR. THIS VOLUME MAY BE CONTESTED BY PROPER OBJECTION.

**Source Name:** BIGHORN 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	8	NESE	24	1S	33E	BIG HORN

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

**Diversion Means:** PUMP

**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				10	1S	33E	BIG HORN
2				11	1S	33E	BIG HORN
3				12	1S	33E	BIG HORN
4				13	1S	33E	BIG HORN
5				14	1S	33E	BIG HORN
6				15	1S	33E	BIG HORN
7				22	1S	33E	BIG HORN
8				23	1S	33E	BIG HORN
9				24	1S	33E	BIG HORN
10				25	1S	33E	BIG HORN
11				26	1S	33E	BIG HORN
12				27	1S	33E	BIG HORN

**Remarks:**

THIS WATER RIGHT IS PRESUMED TO NOT BE ABANDONED PURSUANT TO 85-2-227, MCA.

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

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CROW INDIAN RESERVATION.

THE CLAIMED FLOW RATE APPEARS TO EXCEED THE PUMP CAPACITY. AVAILABLE DATA SUPPORT A FLOW RATE OF 1400 GPM.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED MUNICIPAL WATER QUESTIONNAIRE IS NOT CLEARLY IDENTIFIED.

IT IS NOT CLEAR WHETHER THIS CLAIM IS A STATE-BASED WATER RIGHT OR PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE CROW TRIBE - MONTANA COMPACT. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.

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**Remarks:**

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME IS 3466 GALLONS PER CAPITA PER DAY (GPCD) BASED ON THE 1960 CENSUS POPULATION OF 2789 PEOPLE.