

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

See most recent Authorization for current water right details.

Water Right Number: 76G 92133-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MONTANA, STATE OF DEPT OF CORRECTIONS
MONTANA STATE PRISON
350 CONLEY LAKE RD
DEER LODGE, MT 59722-9705

Priority Date: AUGUST 31, 1873

Enforceable Priority Date: AUGUST 31, 1873

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 5.00 CFS

Maximum Volume: 2,121.81 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 1,337.00

Source Name: TIN CUP JOE 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		SE	4	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
2		SW	4	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
3		NE	4	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
4		NW	4	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
5		WN	3	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
6		NW	3	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
7		SW	34	8N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
8		SW	35	8N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
9		E2	2	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
10		SWNENW	1	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
11		NESWNE	1	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
12		SWSWNW	6	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: HEADGATE						
13		SESWNE	4	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: DAM						
14		NWNESE	4	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: DAM						
15		SWSENW	3	7N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: DAM						
16		SENWSW	34	8N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: DAM						
17		SWNWNW	34	8N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: DAM						
18		SWNWNW	35	8N	10W	POWELL
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversion Means: DAM						

WATER FROM TIN CUP JOE CREEK IS DITCHED TO A SECONDARY POINT OF DIVERSION IN THE SWNWNW SEC 34 TWP 08N RGE 10W. THE WATER IS THEN SPILLED INTO TAYLOR CREEK AND CONVEYED TO OTHER SECONDARY POINTS OF DIVERSION.

Reservoir:	ON STREAM	Reservoir Name	TIN CUP LAKE			
	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		SESWNE	4	7N	10W	POWELL

Diversion to Reservoir: DIVERSION # 1

Reservoir:	OFF STREAM	Reservoir Name	CONLEYS LAKE			
	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		NWNESE	4	7N	10W	POWELL

Diversion to Reservoir: DIVERSION # 1

Reservoir:	OFF STREAM	Reservoir Name	MUD LAKE			
	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		SWSENW	3	7N	10W	POWELL

Diversion to Reservoir: DIVERSION # 1

Reservoir:	OFF STREAM	Reservoir Name	KERNS LAKE			
	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		SENWSW	34	8N	10W	POWELL

Diversion to Reservoir: DIVERSION # 1

Reservoir:	OFF STREAM	Reservoir Name	UPPER TAYLOR RESERVOIR			
	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		SWNWNW	34	8N	10W	POWELL

Diversion to Reservoir: DIVERSION # 1

Reservoir:	ON STREAM	Reservoir Name	LOWER TAYLOR RESERVOIR			
	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		SWNWNW	35	8N	10W	POWELL

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to OCTOBER 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	3.00		NE	4	7N	10W	POWELL
2	88.00		E2	33	8N	10W	POWELL
3	33.00		E2E2	34	8N	10W	POWELL
4	150.00			35	8N	10W	POWELL
5	22.00		S2NW	36	8N	10W	POWELL
6	46.00		SW	36	8N	10W	POWELL
7	18.00		W2SE	36	8N	10W	POWELL
8	12.00		E2NW	1	7N	10W	POWELL
9	76.00		NE	1	7N	10W	POWELL
10	96.00		NW	6	7N	9W	POWELL
11	33.00		W2NE	6	7N	9W	POWELL
12	110.00		SE	1	7N	10W	POWELL
13	118.00		SW	6	7N	9W	POWELL
14	76.00		SE	6	7N	9W	POWELL
15	150.00		N2	7	7N	9W	POWELL
16	160.00		NW	8	7N	9W	POWELL
17	146.00		SW	8	7N	9W	POWELL
Total:	1,337.00						

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.

92084-00	92085-00	92086-00	92087-00	92088-00	92089-00	92090-00
92091-00	92092-00	92117-00	92128-00	92129-00	92130-00	92131-00
92132-00	92133-00	92134-00	92135-00	92136-00	92137-00	167135-00
167136-00	167138-00					

AUTHORIZATION TO CHANGE REVOKED 3-20-86. (SEE 76G-I(W)092128) AUTHORIZATION TO ADD A POINT OF DIVERSION AND CHANGE THE PLACE OF USE OF A PORTION COMPLETED 08-05-87. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY, 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

AUTHORIZATION TO CHANGE THE PLACE OF USE ISSUED 04/29/98. NOTICE OF COMPLETION DUE 12/31/00. SEE 76G-G(W)092133-01 .

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

THE WATER RIGHTS LISTED BELOW ARE CONSOLIDATED AND USED INTERCHANGEABLY TO ALLOW MAXIMUM UTILIZATION OF THE LIMITED WATER, THUS ALLOWING THE RIGHTS TO BE DIVERTED FROM ANY POINT OF DIVERSION AND USED ON ANY PLACE OF USE DECREED. W092128-00, W092129-00, W092130-00, W092131-00, W092132-00, W092133-00, W092134-00, W092135-00, W092136-00, W092137-00.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.