

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 114173-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: BARR R GUSTAFSON
PO BOX 568
BROWNING, MT 59417
COLLEEN K GUSTAFSON
PO BOX 568
BROWNING, MT 59417

Priority Date: MAY 1, 1920
Enforceable Priority Date: MAY 1, 1920

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 3.03 CFS
THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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

Climatic Area: 5 - LOW

Maximum Acres: 80.00

Source Name: UNNAMED TRIBUTARY OF TWO MEDICINE 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		SWNE	36	32N	9W	GLACIER

Period of Diversion: MARCH 1 TO DECEMBER 1
Diversion Means: HEADGATE

Period of Use: MARCH 1 to DECEMBER 1

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	60.00		SW	30	32N	8W	GLACIER
2	20.00		N2NW	31	32N	8W	GLACIER
Total:	80.00						

Geocodes/Valid: 38-4418-30-3-04-01-0000 - Y 38-4418-31-2-01-01-0000 - Y

Remarks:

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 BLACKFEET INDIAN RESERVATION.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/11/1999.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
 THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 25 TO OCTOBER 9.
 THE GLACIER COUNTY WATER RESOURCES SURVEY (1969) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
 USDA AERIAL PHOTOGRAPH NO(S). 282-124 , DATED 09/17/1982 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
 ACCORDING TO INFORMATION IN THE CLAIM FILE, THE PLACE OF USE WAS LAST IRRIGATED IN 1951.

Remarks:

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