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 40917-00 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: MARCH 23, 1953

Enforceable Priority Date: MARCH 23, 1953

Type of Historical Right: USE

Purpose (use): POWER GENERATION

THIS IS A STORAGE RIGHT USED FOR POWER GENERATION.

HYDROPOWER

Maximum Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM

RESERVOIR.

Maximum Volume: 1,952,059.00 AC-FT

ON DECEMBER 14, 1949, THE MONTANA POWER COMPANY CONVEYED ITS CANYON FERRY DEVELOPMENT TO THE UNITED STATES BUREAU OF RECLAMATION (SEE EXHIBIT F OF CLAIM 41I-J040914-00). IN THE CONVEYANCE, THE COMPANY RESERVED "THE WATER RIGHT ON THE MISSOURI RIVER WHICH IT HAS ACQUIRED UNDER THE LAWS OF MONTANA AS OF OCTOBER 31, 1898, IN THE AMOUNT OF 23,980 CFS BUT NOT IN EXCESS

IN VOLUME OF .. 47,500 ACRE FEET THE UNITED STATES AGREES TO STORE."
ON PAGE 13 OF THIS CONTRACT, UP TO 47,500 ACRE FEET WILL BE

REPLACED BY THE COMPANIES HEBGEN OR MADISON RESERVOIR WATER

RELEASES.

THIS WATER RIGHT IS FOR THE ENTIRE STORAGE OF CANYON FERRY

RESERVOIR UP TO ELEVATION 3797.0 FEET.

Source Name: MISSOURI RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID Govt Lot Qtr Sec Sec Twp Rge County

1 12 NWSESE 4 10N 1W LEWIS AND CLARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

2 13 NWSESE 4 10N 1W LEWIS AND CLARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

3 SESESW 19 7N 2E BROADWATER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: WESTSIDE CANAL

4 SWSESE 19 7N 2E BROADWATER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: EASTSIDE CANAL

POINT OF DIVERSION #1 DIVERTS STORED WATER TO PENSTOCK FOR POWER

GENERATION.

POINT OF DIVERSION #4 DIVERTS MISSOURI RIVER WATER TO PONDS #1, 2, 3 WHICH ARE USED FOR DUST ABATEMENT AND TO PROVIDE FISH AND WILDLIFE

HABITAT.

POINT OF DIVERSION #3 DIVERTS MISSOURI RIVER WATER TO POND #4 WHICH IS USED FOR DUST ABATEMENT AND TO PROVIDE FISH AND WILDLIFE HABITAT.

POINT OF DIVERSION #2 DIVERTS STORED WATER TO HELENA VALLEY PUMP

TURBINES.

January 20, 2017 41I 40917-00

Reservoir: ON STREAM Reservoir Name CANYON FERRY LAKE

Govt Lot Qtr Sec Sec Twp Rge County

NWSESE 4 10N 1W LEWIS AND CLARK

Diversion to Reservoir: DIVERSION # 1

Dam Height: 225.00 FEET Surface Area: 35,200.00 ACRES

Current Capacity: 2,051,000.00 ACRE-FEET Original Capacity: 2,051,000.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL

RESERVOIR DATA.

THE DAM IS LOCATED IN GOVT LOTS 12 AND 13 SEC 04 TWP 10N RGE 01W LEWIS

AND CLARK COUNTY.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		12	NWSESE	4	10N	1W	LEWIS AND CLARK
2		13	NWSESE	4	10N	1W	LEWIS AND CLARK

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.

40917-00 40918-00 40919-00 40920-00 40921-00 40922-00 40923-00

40924-00 214057-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/14/93: POINT OF DIVERSION, PLACE OF USE, VOLUME, PRIORITY DATE.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. Z040914-00.

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

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL OF THE VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W040915-00, W040916-00, W040917-00.

THE USE OF THIS WATER APPEARS TO BE LARGELY NON-CONSUMPTIVE.