

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: 40F 40950-00 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: NOVEMBER 7, 1939

Enforceable Priority Date: NOVEMBER 7, 1939

Type of Historical Right: USE

Purpose (use): RECREATION

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 129,062.00 AC-FT
THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

Source Name: MILK 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		SENESE	19	33N	14E	HILL

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM **Reservoir Name** FRESNO RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	E2SE	19	33N	14E	HILL

Diversion to Reservoir: DIVERSION # 1

Dam Height: 110.00 FEET

Depth: 57.00 FEET

Surface Area: 5,757.00 ACRES

Current Capacity: 129,090.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET 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			E2	1	33N	13E	HILL
2			W2	1	33N	13E	HILL
3			NENENE	2	33N	13E	HILL
4			W2	6	33N	13E	HILL
5			E2	11	33N	13E	HILL
6			W2	11	33N	13E	HILL
7			E2	12	33N	13E	HILL
8			W2	12	33N	13E	HILL
9			E2	13	33N	13E	HILL
10			W2	13	33N	13E	HILL
11			NENE	14	33N	13E	HILL
12			E2	24	33N	13E	HILL
13			NW	24	33N	13E	HILL
14			NENE	25	33N	13E	HILL
15			N2N2	6	33N	14E	HILL
16			W2W2	7	33N	14E	HILL
17			S2SESW	8	33N	14E	HILL
18			W2	17	33N	14E	HILL
19			E2	18	33N	14E	HILL
20			W2	18	33N	14E	HILL
21				19	33N	14E	HILL
22			W2	1	34N	12E	HILL
23			N2	2	34N	12E	HILL

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>
24			SW	2	34N	12E	HILL
25			E2E2	3	34N	12E	HILL
26			NW	11	34N	12E	HILL
27			E2	12	34N	12E	HILL
28			E2NW	12	34N	12E	HILL
29			E2	26	34N	12E	HILL
30			W2	6	34N	13E	HILL
31			W2SE	7	34N	13E	HILL
32			W2	7	34N	13E	HILL
33			E2	8	34N	13E	HILL
34			W2	8	34N	13E	HILL
35			SW	9	34N	13E	HILL
36			W2SW	14	34N	13E	HILL
37			E2	15	34N	13E	HILL
38			W2	15	34N	13E	HILL
39			E2	16	34N	13E	HILL
40			W2	16	34N	13E	HILL
41			N2	17	34N	13E	HILL
42			N2S2	17	34N	13E	HILL
43			N2	18	34N	13E	HILL
44			N2S2	18	34N	13E	HILL
45			NENENE	21	34N	13E	HILL
46			E2	22	34N	13E	HILL
47			W2	22	34N	13E	HILL
48			SE	23	34N	13E	HILL
49			W2	23	34N	13E	HILL
50			W2	25	34N	13E	HILL
51			E2	26	34N	13E	HILL
52			NW	26	34N	13E	HILL
53			NENENE	27	34N	13E	HILL
54			E2	35	34N	13E	HILL
55			E2	36	34N	13E	HILL
56			W2	36	34N	13E	HILL
57			W2SW	2	35N	12E	HILL
58			E2	3	35N	12E	HILL
59			W2	3	35N	12E	HILL
60			E2	11	35N	12E	HILL
61			W2	11	35N	12E	HILL
62			W2	14	35N	12E	HILL
63			E2	15	35N	12E	HILL
64			W2	15	35N	12E	HILL
65			NESE	16	35N	12E	HILL
66			E2	22	35N	12E	HILL
67			W2	22	35N	12E	HILL
68			W2	23	35N	12E	HILL
69			W2	26	35N	12E	HILL
70			E2	27	35N	12E	HILL
71			E2W2	27	35N	12E	HILL
72			E2	34	35N	12E	HILL
73			E2	35	35N	12E	HILL
74			W2	35	35N	12E	HILL
75			S2SW	36	35N	12E	HILL
76			E2	13	36N	11E	HILL
77			W2	13	36N	11E	HILL
78			E2	14	36N	11E	HILL
79			E2	18	36N	12E	HILL
80			W2	18	36N	12E	HILL
81			E2	19	36N	12E	HILL
82			SW	20	36N	12E	HILL
83			E2	29	36N	12E	HILL
84			W2	29	36N	12E	HILL
85			NE	32	36N	12E	HILL
86			E2	33	36N	12E	HILL
87			W2	33	36N	12E	HILL
88			E2	34	36N	12E	HILL
89			W2	34	36N	12E	HILL

THE PLACE OF USE IS THE SURFACE AREA OF FRESNO RESERVOIR AT
ELEVATION 2575 FEET.

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.

40949-00 40950-00

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 40943.

BECAUSE THIS CLAIM DID NOT RECEIVE A FACTUAL OR LEGAL ISSUE REMARK DURING THE CLAIMS EXAMINATION PROCESS, THE WATER COURT WILL NOT HOLD A HEARING ON THIS CLAIM UNDER MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 41I, 2002 MT 216, 311 MONT. 327, 55 P.3D 396 UNLESS A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.