

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: 76GJ 148497-00 STATEMENT OF CLAIM
Version: 2 -- REEXAMINED

Version Status: ACTIVE

Owners: PHILIPSBURG TOWN OF
PO BOX 339
PHILIPSBURG, MT 59858

Priority Date: OCTOBER 28, 1892

Enforceable Priority Date: OCTOBER 28, 1892

Type of Historical Right: FILED

Purpose (use): MUNICIPAL

Maximum Flow Rate: 2.00 CFS

Maximum Volume: 1,447.00 AC-FT

Source Name: BOULDER CREEK, SOUTH FORK

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		SESENE	21	7N	13W	GRANITE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

2- SECONDARY		SWSWSE	17	7N	13W	GRANITE
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: PIPELINE

WATER FROM SOUTH BOULDER CREEK IS CONVEYED TO STEWART GULCH WHICH ACTS AS A NATURAL CARRIER TO A SECONDARY DIVERSION IN THE SWSWSE SEC 17 TWP 06N RGE 13W FROM WHICH THE WATER IS CONVEYED TO A STORAGE TANK IN THE NWNESE SEC 24 TWP 06N RGE 14W, GRANITE COUNTY.

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				23	7N	14W	GRANITE
2				24	7N	14W	GRANITE
3				25	7N	14W	GRANITE
4				26	7N	14W	GRANITE
5				36	7N	14W	GRANITE

Remarks:

WHENEVER WATER RIGHTS 76GJ 148511-00, 76GJ 210974-00, AND 76GJ 210976-00 ARE COMBINED TO SUPPLY WATER FOR MUNICIPAL USE, THE TOTAL COMBINED FLOW RATE FOR THE RIGHTS SHALL NOT EXCEED 5.00 CFS.

WHENEVER WATER RIGHTS 76GJ 148497-00 AND 76GJ 148506-00 ARE COMBINED TO SUPPLY WATER FOR MUNICIPAL USE, THE TOTAL COMBINED FLOW RATE FOR THE RIGHTS SHALL NOT EXCEED 2.00 CFS.

WHENEVER THE FOLLOWING WATER RIGHTS ARE COMBINED TO SUPPLY WATER FOR MUNICIPAL USE THE TOTAL COMBINED FLOW RATE FOR THE FOLLOWING RIGHTS SHALL NOT EXCEED 5.00 CFS FROM OCTOBER 1 THROUGH APRIL 30 AND SHALL NOT EXCEED 7.00 CFS FROM MAY 1 THROUGH SEPTEMBER 30 AND THE SUM TOTAL VOLUME OF THE COMBINED USE SHALL NOT EXCEED 1999.00 ACRE-FEET PER YEAR. 76GJ 148497-00, 76GJ 148506-00, 76GJ 148511-00, 76GJ 210974-00, 76GJ 210976-00.

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

THE POINT OF DIVERSION REMARK REFERENCES TWO LEGAL DESCRIPTIONS IN TWP 06N. IT APPEARS THAT THE CORRECT TWP MAY BE 07N.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED RIGHT ON BOULDER CREEK, SOUTH FORK WITH A PRIORITY DATE PREDATING CASE NO. 719, GRANITE COUNTY.