

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:** 40E 165372-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** USA (DEPT OF ARMY CORP OF ENGINEERS)  
6014 US POST OFFICE & COURTHSE  
214 N 17TH ST  
OMAHA, NE 68102

**Priority Date:** NOVEMBER 23, 1934

**Enforceable Priority Date:** NOVEMBER 23, 1934

**Purpose (use):** MUNICIPAL  
FORT PECK TOWNSITE PROJECT.

**Maximum Flow Rate:** 930.00 GPM

**Maximum Volume:** 1,500.00 AC-FT

**Source Name:** MISSOURI 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		NWNE	15	26N	41E	MCCONE

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** PIPELINE

**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			S2	18	26N	41E	VALLEY
2			SW	9	26N	41E	VALLEY
3			SESE	13	26N	40E	VALLEY
4			SESE	8	26N	41E	VALLEY
5				17	26N	41E	VALLEY
6			NWNE	15	26N	41E	VALLEY
7				16	26N	41E	VALLEY

**Remarks:**

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

THIS CLAIM PRESENTS ISSUES OF FACT AND LAW THAT MAY BE ADDRESSED AT THE OBJECTION STAGE. THE CLAIMED VOLUME IS IN QUESTION.

THIS APPROPRIATION OF WATER TAKES WATER FROM THE MISSOURI RIVER BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM DRAINAGE (BASIN 40E) AND USES IT IN THE MISSOURI RIVER BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM DRAINAGE (BASIN 40E) AND MISSOURI RIVER BELOW FORT PECK DAM DRAINAGE (BASIN 40S). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.