

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:** 40M 169625-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE

**Version Status:** ACTIVE

**Owners:** AMERICAN PRAIRIE FOUNDATION  
PO BOX 908  
BOZEMAN, MT 59771-0908

**Priority Date:** JUNE 16, 1948

**Enforceable Priority Date:** JUNE 16, 1948

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

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

**Maximum Volume:** 91.20 AC-FT

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 66.00

**Source Name:** BEST COULEE

**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         |                 | SESWSE         | 28         | 25N        | 27E        | PHILLIPS      |

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

**Diversion Means:** DAM

|   |  |        |    |     |     |          |
|---|--|--------|----|-----|-----|----------|
| 2 |  | SWSESE | 28 | 25N | 27E | PHILLIPS |
|---|--|--------|----|-----|-----|----------|

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

**Diversion Means:** DAM

**Reservoir:** ON STREAM

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
|                 | SESWSE         | 28         | 25N        | 27E        | PHILLIPS      |

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 13.00 FEET

**Surface Area:** 3.00 ACRES

**Current Capacity:** 12.00 ACRE-FEET

**Reservoir:** ON STREAM

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
|                 | SWSESE         | 28         | 25N        | 27E        | PHILLIPS      |

**Diversion to Reservoir:** DIVERSION # 2

**Dam Height:** 15.00 FEET

**Surface Area:** 7.00 ACRES

**Current Capacity:** 33.60 ACRE-FEET

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

**Period of Use:** APRIL 1 to NOVEMBER 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             | 14.40        |                 | N2NWNW         | 34         | 25N        | 27E        | PHILLIPS      |
| 2             | 9.60         |                 | S2SWSW         | 27         | 25N        | 27E        | PHILLIPS      |
| 3             | 9.00         |                 | E2SESW         | 27         | 25N        | 27E        | PHILLIPS      |
| 4             | 16.00        |                 | SWSE           | 27         | 25N        | 27E        | PHILLIPS      |
| 5             | 4.00         |                 | SWSESE         | 27         | 25N        | 27E        | PHILLIPS      |
| 6             | 3.00         |                 | NENENW         | 34         | 25N        | 27E        | PHILLIPS      |
| 7             | 10.00        |                 | N2NWNW         | 34         | 25N        | 27E        | PHILLIPS      |
| <b>Total:</b> | <b>66.00</b> |                 |                |            |            |            |               |

**Geocodes/Valid:** 11-3641-27-2-01-01-0000 - Y 11-3641-34-1-01-01-0000 - Y  
11-3641-34-2-01-01-0000 - Y

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**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

169622-00 169625-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/08/1992: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, VOLUME.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/20/1994.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 83165 RECEIVED 11/09/2009.