

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:** 40S 172274-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Version Status:** ACTIVE

**Owners:**  
KELLY S TOAVS  
4512 RD 1074  
WOLF POINT, MT 59201-7215  
  
MICHELLE L TOAVS  
4512 RD 1074  
WOLF POINT, MT 59201-7215  
  
BRENT J TOAVS  
4837 HWY 250 W  
WOLF POINT, MT 59201-7210

**Priority Date:** DECEMBER 31, 1950  
**Enforceable Priority Date:** DECEMBER 31, 1950

**Type of Historical Right:** USE

**Purpose (use):** STOCK

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

**Maximum Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF 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		SENWSE	5	27N	46E	ROOSEVELT

**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>
	SENWSE	5	27N	46E	ROOSEVELT

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 13.00 FEET

**Surface Area:** 11.00 ACRES

**Current Capacity:** 44.00 ACRE-FEET

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

**Period of Use:** SEPTEMBER 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			S2N2SE	5	27N	46E	ROOSEVELT

**Geocodes/Valid:** 17-3908-05-1-01-01-0000 - Y

**Remarks:**

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

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE FORT PECK INDIAN RESERVATION.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/15/94.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 92523 RECEIVED 01/01/2011.

**Remarks:**

OWNERSHIP UPDATE TYPE DOR # 125892 RECEIVED 02/23/2013.