

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: 40R 187346-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)
DENVER FEDERAL CENTER
PO BOX 25486, MS #60189
DENVER, CO 80225-0486

Priority Date: AUGUST 19, 1935

Enforceable Priority Date: AUGUST 19, 1935

Type of Historical Right: FILED

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 50.00 CFS

Maximum Volume: 8,000.00 AC-FT

Source Name: BIG MUDDY CREEK

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		SWNESE	28	31N	55E	SHERIDAN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

MEANS OF DIVERSION INCLUDES A HEADGATE 500 FT UP STREAM FROM THE DAM.

Reservoir: OFF STREAM **Reservoir Name** HOMESTEAD LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESESW	33	31N	55E	SHERIDAN

Diversion to Reservoir: DIVERSION # 1

Dam Height: 11.00 FEET

Depth: 8.50 FEET

Surface Area: 1,595.00 ACRES

Current Capacity: 5,423.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** INDIAN SERVICE DAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNESE	28	31N	55E	SHERIDAN

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 2.60 ACRES

Current Capacity: 10.40 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			W2NWNW	3	30N	55E	ROOSEVELT
2			SW	3	30N	55E	ROOSEVELT
3			E2	4	30N	55E	ROOSEVELT
4			W2	4	30N	55E	ROOSEVELT
5			SESESE	5	30N	55E	ROOSEVELT
6			E2NENE	8	30N	55E	ROOSEVELT
7			N2	9	30N	55E	ROOSEVELT
8			W2NWNW	10	30N	55E	ROOSEVELT
9			NE	27	31N	55E	SHERIDAN
10			W2	27	31N	55E	SHERIDAN
11			E2SESE	28	31N	55E	SHERIDAN
12			E2	33	31N	55E	SHERIDAN

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
13				SE	34	31N	55E	SHERIDAN
14				W2	34	31N	55E	SHERIDAN

Remarks:

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

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL 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. 187356-00, 187346-00, 187345-00, 187344-00.

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 411, 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.