

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: 43B 191340-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620-0701

Priority Date: DECEMBER 14, 1970

Enforceable Priority Date: DECEMBER 14, 1970

Type of Historical Right: FILED

Purpose (use): FISH AND WILDLIFE
THIS RIGHT IS SUBJECT TO ALL PRIOR RIGHTS (89-801.1 R.C.M. 1979). THE FLOW RATE AND VOLUME ABOVE REPRESENTS THE CLAIMED NEEDS OF THE STATE DEPARTMENT OF FISH WILDLIFE AND PARKS TO MAINTAIN STREAMFLOWS FOR THE PRESERVATION OF FISH AND WILDLIFE HABITAT. THOSE CLAIMED AMOUNTS ARE MADE A MATTER OF RECORD BUT ARE SUBJECT TO CHANGE SHOULD THE COURT DETERMINE PURSUANT TO 89-801 R.C.M. 1979 (REPEALED CHAPTER 452, 1973 SESSION LAWS) THAT THOSE WATERS ARE NEEDED FOR USES DETERMINED TO BE MORE BENEFICIAL TO THE PUBLIC.

Maximum Flow Rate: 1,800.00 CFS

Maximum Volume: 328,384.00 AC-FT

Source Name: YELLOWSTONE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	12	1N	14E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
2			8	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
3			9	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
4			18	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
5			17	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
6			16	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
7			15	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
8			21	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
9			22	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
10			27	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
11			26	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
12			34	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
13			35	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
14			36	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
15			31	1N	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
16			5	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
17			6	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
18			8	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
19			9	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
20			16	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
21			21	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
22			22	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
23			23	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
24			14	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
25			13	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
26			24	1S	16E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
27			18	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
28			19	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
29			20	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
30			21	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
31			29	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
32			28	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
33			27	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
34			34	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
35			35	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
36			26	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
37			25	1S	17E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
38			30	1S	18E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
39			29	1S	18E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
40			28	1S	18E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
41			27	1S	18E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
42			34	1S	18E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
43			35	1S	18E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
44			2	2S	18E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
45			1	2S	18E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
46			6	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
47			7	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
48			8	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
49			5	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
50			32	1S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
51			33	1S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
52			4	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
53			3	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
54			10	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
55			15	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
56			14	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
57			23	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
58			24	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
59			25	2S	19E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						
60			30	2S	20E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31 Diversion Means: INSTREAM						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
61			19	2S	20E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
62		SWSW	20	2S	20E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
63		SESW	20	2S	20E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
64		SWSE	20	2S	20E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
65		NENWNE	29	2S	20E	STILLWATER
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						
66			7	1N	15E	SWEET GRASS
Period of Diversion: AUGUST 1 TO OCTOBER 31						
Diversion Means: INSTREAM						

Period of Use: AUGUST 1 to OCTOBER 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			NE	12	1N	14E	SWEET GRASS
2				7	1N	15E	SWEET GRASS
3				8	1N	15E	SWEET GRASS
4				9	1N	15E	SWEET GRASS
5				18	1N	15E	SWEET GRASS
6				17	1N	15E	SWEET GRASS
7				16	1N	15E	SWEET GRASS
8				15	1N	15E	SWEET GRASS
9				21	1N	15E	SWEET GRASS
10				22	1N	15E	SWEET GRASS
11				27	1N	15E	SWEET GRASS
12				26	1N	15E	SWEET GRASS
13				34	1N	15E	SWEET GRASS
14				35	1N	15E	SWEET GRASS
15				36	1N	15E	SWEET GRASS
16				31	1N	16E	SWEET GRASS
17				5	1S	16E	SWEET GRASS
18				6	1S	16E	SWEET GRASS
19				8	1S	16E	SWEET GRASS
20				9	1S	16E	SWEET GRASS
21				16	1S	16E	SWEET GRASS
22				21	1S	16E	SWEET GRASS
23				22	1S	16E	SWEET GRASS
24				23	1S	16E	SWEET GRASS
25				14	1S	16E	SWEET GRASS
26				13	1S	16E	SWEET GRASS
27				24	1S	16E	SWEET GRASS
28				18	1S	17E	SWEET GRASS
29				19	1S	17E	SWEET GRASS
30				20	1S	17E	SWEET GRASS
31				21	1S	17E	SWEET GRASS
32				29	1S	17E	SWEET GRASS
33				28	1S	17E	SWEET GRASS
34				27	1S	17E	SWEET GRASS
35				34	1S	17E	SWEET GRASS
36				35	1S	17E	SWEET GRASS
37				26	1S	17E	SWEET GRASS
38				25	1S	17E	SWEET GRASS
39				30	1S	18E	STILLWATER
40				29	1S	18E	STILLWATER
41				28	1S	18E	STILLWATER

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>
42				27	1S	18E	STILLWATER
43				34	1S	18E	STILLWATER
44				35	1S	18E	STILLWATER
45				2	2S	18E	STILLWATER
46				1	2S	18E	STILLWATER
47				6	2S	19E	STILLWATER
48				7	2S	19E	STILLWATER
49				8	2S	19E	STILLWATER
50				5	2S	19E	STILLWATER
51				32	1S	19E	STILLWATER
52				33	1S	19E	STILLWATER
53				4	2S	19E	STILLWATER
54				3	2S	19E	STILLWATER
55				10	2S	19E	STILLWATER
56				15	2S	19E	STILLWATER
57				14	2S	19E	STILLWATER
58				23	2S	19E	STILLWATER
59				24	2S	19E	STILLWATER
60				25	2S	19E	STILLWATER
61				30	2S	20E	STILLWATER
62				19	2S	20E	STILLWATER
63			SWSW	20	2S	20E	STILLWATER
64			SESW	20	2S	20E	STILLWATER
65			SWSE	20	2S	20E	STILLWATER
66			NENWNE	29	2S	20E	STILLWATER

Remarks:

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

THIS APPROPRIATION OF WATER USES WATER IN THE UPPER YELLOWSTONE RIVER BASIN (43B) AND THE YELLOWSTONE RIVER FROM BRIDGER CREEK TO THE CLARKS FORK OF THE YELLOWSTONE RIVER BASIN (43QJ). AS A RESULT, IT WILL BE DECREED IN BOTH BASINS AND SUBJECT TO OBJECTION IN EITHER BASIN BEFORE BECOMING FINAL.

THIS USE MAY CONSUME SOME WATER, BUT UNTIL THAT AMOUNT IS QUANTIFIED, IT IS PRESUMED THAT THE USE IS NON-CONSUMPTIVE.