

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:** 43D 119241-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** MONTANA, STATE OF DEPT OF NATURAL RESOURCES  
GLACIER LAKE DAM  
1424 9TH AVE  
PO BOX 201601  
HELENA, MT 59620-1601

**Priority Date:** MAY 14, 1934

**Enforceable Priority Date:** MAY 14, 1934

**Type of Historical Right:** FILED

**Purpose (use):** SALE  
THIS STATE WATER CONSERVATION PROJECT KNOWN AS RED LODGE/ ROCK CREEK, IS OPERATED AS A SINGLE UNIT. THE "WATER PURCHASE CONTRACTS" WITH INDIVIDUAL USERS FOR THIS PROJECT DO NOT DISTINGUISH BETWEEN THE TWO PROJECT RESERVOIRS, GLACIER LAKE AND COONEY RESERVOIR. THEREFORE, THE GENERAL SERVICE AREA OF THE PROJECT IS IDENTIFIED ON ALL OF THE PROJECT CLAIMS.

THIS RIGHT INCLUDES WATER STORAGE AS PROVIDED IN SECTION 89-121 R.C.M. (1947) (REPEALED). THE RIGHT DIVERTS WATER IN AND THROUGH THE ROCK CREEK PROJECT FOR USE BY WATER PURCHASERS. THE HISTORICAL USES FOR THIS WATER INCLUDE IRRIGATION, STOCKWATER, AND MUNICIPAL IN THE RED LODGE CREEK, ROCK CREEK, AND CLARKS FORK YELLOWSTONE RIVER VALLEYS.

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

**Maximum Volume:** 4,753.00 AC-FT  
THE VOLUME REFLECTS HISTORICAL USE AND INCLUDES ANNUAL EVAPORATION AND RESERVOIR REFILL WHEN WATER IS AVAILABLE.

**Source Name:** ROCK 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		NWSE	32	9S	18E	CARBON

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

**Diversion Means:** DAM

**Ditch Name:** GLACIER LAKE RESERVIOR

**Reservoir:** ON STREAM **Reservoir Name** GLACIER LAKE  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
NWSE 32 9S 18E CARBON

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 65.00 FEET

**Surface Area:** 166.00 ACRES

**Current Capacity:** 4,200.00 ACRE-FEET

ROCK CREEK AND WEST FORK ROCK CREEK ARE USED AS NATURAL CARRIERS TO CONVEY WATER RELEASED FROM GLACIER LAKE (VIA POINT OF ROCKS DIVERSION, PRIVATE DITCH SYSTEMS, AND WILLOW CREEK AS NATURAL CARRIER) TO COONEY RESERVOIR AND THE GENERAL SERVICE AREA OF THE ROCK CREEK PROJECT.

**Period of Use:** JANUARY 1 to DECEMBER 31  
FOR STORAGE: JANUARY 1 TO DECEMBER 31  
FOR SALE: APRIL 1 THROUGH 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			NWNE	36	4S	20E	CARBON
2			NWSE	32	9S	18E	CARBON

THE GENERAL SERVICE AREA OF THE ROCK CREEK PROJECT FOR IRRIGATION AND STOCKWATER IS:

TWP	RGE	COUNTY
3S	23E	CARBON
4S	21E	CARBON
4S	22E	CARBON
4S	23E	CARBON
5S	20E	CARBON
5S	21E	CARBON
5S	23E	CARBON
6S	19E	CARBON
6S	20E	CARBON
6S	21E	CARBON
7S	20E	CARBON
8S	20E	CARBON

THE PLACE OF USE IS THE LOCATION OF THE OUTLET AND CONTROL GATES AT THE COONEY RESERVOIR AND GLACIER LAKE DAM SITES.

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**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

119241-00      119247-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/22/92: VOLUME, PRIORITY DATE.

THE FEBRUARY 16, 2001 AFFIDAVIT OF RON ROMAN FILED IN CASE 43D-267 SPECIFIES THE ADDITION OF THE FOLLOWING REMARK: THE CLAIMANT MUST COMPLY WITH THE REQUIREMENTS OF TITLE 85, CHAPTER 2, PART 4 OF THE MONTANA CODE ANNOTATED BEFORE CONTRACTING TO SELL WATER TO ANY PARTY FOR ANY USE OTHER THAN IRRIGATION, STOCKWATER, AND MUNICIPAL WITHIN THE GENERAL SERVICE AREA OF THE ROCK CREEK PROJECT.

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