

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:** 41Q 145993-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** MONTANA PRAIRIE NEST II  
527 PRAIRIE NEST RD  
GREAT FALLS, MT 59405  
  
DAVID J SMITH  
527 PRAIRIE NEST RD  
GREAT FALLS, MT 59405  
  
DENNICE SMITH  
527 PRAIRIE NEST RD  
GREAT FALLS, MT 59405

**Priority Date:** DECEMBER 31, 1956  
**Enforceable Priority Date:** DECEMBER 31, 1956

**Type of Historical Right:** USE

**Purpose (use):** RECREATION

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

**Maximum Volume:** 1,176.00 AC-FT

**Source Name:** ROGERS 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		SWSENE	31	21N	6E	CASCADE

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

**Reservoir:** ON STREAM **Reservoir Name** RESERVOIR #3  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
SWSENE 31 21N 6E CASCADE

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 13.00 FEET  
**Depth:** 10.00 FEET  
**Surface Area:** 50.00 ACRES  
**Current Capacity:** 200.00 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			N2	31	21N	6E	CASCADE
2			E2SE	31	21N	6E	CASCADE

**Geocodes/Valid:** 02-3142-31-1-01-01-0000 - Y

**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 4/30/2009: VOLUME AND PLACE OF USE.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/11/1992.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 09/20/2000.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 57321 RECEIVED 04/03/2008.

**Remarks:**

OWNERSHIP UPDATE TYPE DOR # 90839 RECEIVED 06/01/2011.

THE CLAIMED FLOW RATE WAS NOT EXAMINED AS NO FLOW RATE GUIDELINES FOR THIS PURPOSE HAVE BEEN ESTABLISHED BY THE CLAIM EXAMINATION RULES.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 41I, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF 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.

THE CLAIMED VOLUME WAS NOT EXAMINED AS NO VOLUME GUIDELINES FOR THIS PURPOSE HAVE BEEN ESTABLISHED BY THE CLAIMS EXAMINATION RULES.