

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:** 41L 175886-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** CUT BANK, CITY OF  
221 W MAIN  
CUT BANK, MT 59427-2924

**Priority Date:** OCTOBER 23, 1914  
**Enforceable Priority Date:** OCTOBER 23, 1914

**Type of Historical Right:** USE

**Purpose (use):** MUNICIPAL

**Maximum Flow Rate:** 7.74 CFS

**Maximum Volume:** 5,610.00 AC-FT

**Source Name:** CUT BANK 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	11	SENWSE	2	33N	6W	GLACIER

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

**Diversion Means:** DIVERSION DAM

**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				1	33N	5W	GLACIER
2				2	33N	5W	GLACIER
3				3	33N	5W	GLACIER
4				4	33N	5W	GLACIER
5				5	33N	5W	GLACIER
6				6	33N	5W	GLACIER
7				7	33N	5W	GLACIER
8				8	33N	5W	GLACIER
9				9	33N	5W	GLACIER
10				13	33N	5W	GLACIER
11				14	33N	5W	GLACIER
12				15	33N	5W	GLACIER
13				16	33N	5W	GLACIER
14				17	33N	5W	GLACIER
15				18	33N	5W	GLACIER
16				19	33N	5W	GLACIER
17				20	33N	5W	GLACIER
18				21	33N	5W	GLACIER
19				22	33N	5W	GLACIER
20				23	33N	5W	GLACIER
21				24	33N	5W	GLACIER
22				1	33N	6W	GLACIER
23				10	33N	6W	GLACIER
24				11	33N	6W	GLACIER
25				12	33N	6W	GLACIER
26				13	33N	6W	GLACIER
27				14	33N	6W	GLACIER
28				15	33N	6W	GLACIER
29				22	33N	6W	GLACIER
30				23	33N	6W	GLACIER
31				24	33N	6W	GLACIER
32				1	34N	5W	GLACIER
33				2	34N	5W	GLACIER
34				3	34N	5W	GLACIER
35				4	34N	5W	GLACIER
36				5	34N	5W	GLACIER

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
37				6	34N	5W	GLACIER
38				7	34N	5W	GLACIER
39				8	34N	5W	GLACIER
40				12	34N	5W	GLACIER
41			N2	17	34N	5W	GLACIER
42				18	34N	5W	GLACIER
43				19	34N	5W	GLACIER
44				29	34N	5W	GLACIER
45				30	34N	5W	GLACIER
46				31	34N	5W	GLACIER
47				32	34N	5W	GLACIER
48				33	34N	5W	GLACIER
49				34	34N	5W	GLACIER
50				35	34N	5W	GLACIER
51				2	34N	6W	GLACIER
52				3	34N	6W	GLACIER
53				10	34N	6W	GLACIER
54				11	34N	6W	GLACIER
55				12	34N	6W	GLACIER
56				13	34N	6W	GLACIER
57				14	34N	6W	GLACIER
58				15	34N	6W	GLACIER
59				22	34N	6W	GLACIER
60				24	34N	6W	GLACIER
61				25	34N	6W	GLACIER
62				33	34N	6W	GLACIER
63				36	34N	6W	GLACIER
64				28	35N	5W	GLACIER
65				29	35N	5W	GLACIER
66				32	35N	5W	GLACIER
67				33	35N	5W	GLACIER
68				34	35N	6W	GLACIER
69				35	35N	6W	GLACIER

**Remarks:**

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

THIS APPROPRIATION OF WATER TAKES WATER FROM THE CUT BANK CREEK DRAINAGE (BASIN 41L ) AND USES IT IN THE CUT BANK CREEK DRAINAGE (BASIN 41L ) AND THE MARIAS RIVER DRAINAGE (BASIN 41P ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

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

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. 41L 175886-00, 175887-00, 178252-00.

IT IS NOT CLEAR WHETHER THIS CLAIM IS A STATE-BASED WATER RIGHT OR PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE BLACKFEET TRIBE - MONTANA COMPACT. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME IS 1,250 GALLONS PER CAPITA PER DAY (GCPD). BASED ON THE 1970 CENSUS POPULATION OF 4,004 PEOPLE AND A GCPD OF 250, THE MAXIMUM ACHIEVABLE VOLUME WOULD BE 1,124 ACRE FEET PER YEAR.