

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: 40J 24450-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: HAVRE IRRIGATION CO
PO BOX 1310
HAVRE, MT 59501

Priority Date: DECEMBER 9, 1901

Enforceable Priority Date: DECEMBER 9, 1901

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 59.62 CFS

CASE NO. 10426, HILL COUNTY, DECREES HAVRE IRRIGATION COMPANY THE FIRST RIGHT TO 59.62 CFS OF THE FLOW OF BEAVER CREEK FOR THE IMMEDIATE BENEFICIAL USE OR STORAGE FOR FUTURE USE.

Maximum Volume: 9,427.50 AC-FT

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 2,693.00

Source Name: BEAVER 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		NWNWNE	33	32N	15E	HILL

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: HAVRE IRRIGATION CO DITCH

Reservoir: OFF STREAM **Reservoir Name** SANDS RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
S2SWNW		18	32N	16E	HILL

Diversion to Reservoir: DIVERSION # 1

Dam Height: 11.00 FEET

Depth: 15.00 FEET

Surface Area: 100.00 ACRES

Current Capacity: 600.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** FALTRINO RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
W2SWNW		17	32N	16E	HILL

Diversion to Reservoir: DIVERSION # 1

Dam Height: 30.00 FEET

Depth: 26.00 FEET

Surface Area: 7.00 ACRES

Current Capacity: 73.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** BERGREN RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESW	12	32N	15E	HILL

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 9.00 ACRES

Current Capacity: 18.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: APRIL 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	160.00		SE	11	32N	15E	HILL
2	28.00		NE	12	32N	15E	HILL
3	18.00		SWNW	12	32N	15E	HILL
4	150.00		SE	12	32N	15E	HILL
5	137.00		SW	12	32N	15E	HILL
6	104.00		NE	13	32N	15E	HILL
7	129.00		NW	13	32N	15E	HILL
8	129.00		SE	13	32N	15E	HILL
9	99.00		SW	13	32N	15E	HILL
10	91.00		E2	14	32N	15E	HILL
11	61.00		NW	22	32N	15E	HILL
12	85.00		SE	22	32N	15E	HILL
13	78.00		SW	22	32N	15E	HILL
14	183.00		E2	23	32N	15E	HILL
15	186.00		W2	23	32N	15E	HILL
16	142.00		NE	24	32N	15E	HILL
17	150.00		NW	24	32N	15E	HILL
18	43.00		W2NW	26	32N	15E	HILL
19	12.00		N2NWSW	26	32N	15E	HILL
20	106.00		NE	27	32N	15E	HILL
21	68.00		N2NW	27	32N	15E	HILL
22	3.00		NESWNW	27	32N	15E	HILL
23	14.00		W2SWNW	27	32N	15E	HILL
24	10.00		NESE	27	32N	15E	HILL
25	14.00		W2NWSW	27	32N	15E	HILL
26	11.00		SENE	28	32N	15E	HILL
27	5.00		E2SWNE	28	32N	15E	HILL
28	19.00		NESE	28	32N	15E	HILL
29	3.00		NWSESE	28	32N	15E	HILL
30	11.00		SWSE	28	32N	15E	HILL
31	2.00		N2NWNE	33	32N	15E	HILL
32	25.00		SW	7	32N	16E	HILL
33	17.00		E2	17	32N	16E	HILL
34	72.00		W2	17	32N	16E	HILL
35	115.00		N2	18	32N	16E	HILL
36	138.00		NW	19	32N	16E	HILL
37	18.00		SE	24	32N	16E	HILL
38	57.00		SW	24	32N	16E	HILL
Total:	2,693.00						

Geocodes/Valid: -- NO VALID GEOCODES --

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.

24449-00 24450-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/13/2005: PERIOD OF USE, PERIOD OF DIVERSION.

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

USDA AERIAL PHOTOGRAPH NO(S). 578-213 , DATED 05/15/1980 , APPEARS TO INDICATE 1948.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). AZR-9AA-59, AZR-9AA-61 , DATED 07/07/1960 , APPEARS TO INDICATE 1755.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

ACCORDING TO THE CLAIMANT THE RESERVOIRS 1AND 2 WERE CONSTRUCTED IN 1911 AND 1914 RESPECTIVELY, WHICH DOES NOT CORRESPOND TO THE CLAIMED PRIORITY DATE. THIS MAY INDICATE AN EXPANSION OF THE WATER RIGHT.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 13.6 TIMES THE CAPACITY OF THE RESERVOIR.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.