

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

# GENERAL ABSTRACT

**A version with a more recent operating authority date exists. Contact DNRC for details.**

**Water Right Number:** 76F 40336-00 STATEMENT OF CLAIM  
**Version:** 2 -- CHANGE AUTHORIZATION  
**Version Status:** ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

**Owners:** IRENE E WEAVER  
492 OXFORD LN  
OVANDO, MT 59854-9664

**Priority Date:** NOVEMBER 29, 1910  
**Enforceable Priority Date:** NOVEMBER 29, 1910

**Purpose (use):** IRRIGATION  
FISHERY

**Purpose Clarification:** INSTREAM FLOW

**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 20.45 CFS

**Maximum Volume:** 2,900.00 AC-FT

**Climatic Area:** 5 - LOW

**Maximum Acres:** 230.00

**Source Name:** BLACKFOOT RIVER, NORTH FORK

**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		SWNWNW	32	15N	11W	POWELL

**Period of Diversion:** MAY 1 TO OCTOBER 1  
**Diversion Means:** PUMP

2		S2SE	20	15N	11W	POWELL
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**Period of Diversion:** MAY 1 TO OCTOBER 1  
**Diversion Means:** INSTREAM

3		SENWSW	21	15N	11W	POWELL
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**Period of Diversion:** MAY 1 TO OCTOBER 1  
**Diversion Means:** INSTREAM

4		NWNWNE	29	15N	11W	POWELL
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**Period of Diversion:** MAY 1 TO OCTOBER 1  
**Diversion Means:** INSTREAM

5		SENW	29	15N	11W	POWELL
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**Period of Diversion:** MAY 1 TO OCTOBER 1  
**Diversion Means:** INSTREAM

6		SW	29	15N	11W	POWELL
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**Period of Diversion:** MAY 1 TO OCTOBER 1  
**Diversion Means:** INSTREAM

7		W2NW	32	15N	11W	POWELL
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**Period of Diversion:** MAY 1 TO OCTOBER 1  
**Diversion Means:** INSTREAM

**Period of Use:** JULY 12 to SEPTEMBER 30  
MAY 1 to OCTOBER 1

**Purpose (Use):** IRRIGATION  
**Period of Use:** MAY 1 to OCTOBER 1

**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	230.00		N2	32	15N	11W	POWELL
<b>Total:</b>	230.00						

**Purpose (Use):** FISHERY  
**Period of Use:** JULY 12 to SEPTEMBER 30

**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			S2SE	20	15N	11W	POWELL
2			SENWSW	21	15N	11W	POWELL
3			NWNWNE	29	15N	11W	POWELL
4			SENW	29	15N	11W	POWELL
5			SW	29	15N	11W	POWELL
6			W2NW	32	15N	11W	POWELL

**Geocodes/Valid:** 28-2438-32-1-01-01-0000 - Y

**Remarks:**

THIS RIGHT IS SUBJECT TO ALL PRIOR INDIAN RESERVED WATER RIGHTS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES IN THE SOURCE OF SUPPLY. IT IS THE TRIBE'S POSITION THAT THE EXERCISE OF JUNIOR WATER RIGHTS EITHER WITHIN OR OUTSIDE OF THE EXTERIOR BOUNDARIES OF THE FLATHEAD INDIAN RESERVATION MAY AFFECT THE RESERVED WATER RIGHTS OF THE TRIBE WITHIN THE EXTERIOR BOUNDARIES OF THE RESERVATION. IT IS THE TRIBE'S POSITION THAT ECONOMIC INVESTMENTS MADE IN RELIANCE UPON THIS RIGHT DO NOT CREATE IN THE APPROPRIATOR ANY EQUITY OR VESTED RIGHT AGAINST THE TRIBES. THE APPROPRIATOR IS HEREBY NOTIFIED THAT ANY FINANCIAL OUTLAY OR WORK INVESTED IN A PROJECT PURSUANT TO THIS RIGHT IS AT APPROPRIATOR'S RISK. THE ISSUANCE OF THIS RIGHT DOES NOT REDUCE THE APPROPRIATOR'S LIABILITY FOR DAMAGE CAUSED BY THE EXERCISE OF THE RIGHT. IT DOES NOT MAKE THE DEPARTMENT LIABLE FOR DAMAGE CAUSED BY THE EXERCISE OF THE RIGHT. NOR IS THE DEPARTMENT LIABLE FOR ANY LOSS TO THE APPROPRIATOR CAUSED BY THE EXERCISE OF SENIOR RESERVED WATER RIGHTS.

THIS TEMPORARY CHANGE AUTHORIZATION EXPIRES ON 4/12/2034.

PER MCA 85-2-439, THE APPLICANT WILL BE RESPONSIBLE FOR MEASURING AND RECORDING THE AMOUNT OF WATER LEFT INSTREAM TO BENEFIT THE FISHERIES RESOURCE. THE APPLICANT MUST SUBMIT SAID RECORDS BY NOVEMBER 30TH OF EACH YEAR TO THE WATER RESOURCES REGIONAL OFFICE.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 130274 RECEIVED 10/09/2014.