

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:** 41P 40752-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** USA (DEPT OF INTERIOR BUREAU OF RECLAMATION)  
PO BOX 30137  
BILLINGS, MT 59107-0137

**Priority Date:** AUGUST 29, 1952

**Enforceable Priority Date:** AUGUST 29, 1952

**Type of Historical Right:** FILED

**Purpose (use):** MUNICIPAL

**Maximum Flow Rate:** 1.00 CFS

**Maximum Volume:** 500.00 AC-FT

**Source Name:** MARIAS RIVER

**Source Type:** SURFACE WATER

ALSO KNOWN AS TIBER RESERVOIR

**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	3	SESWSW	28	30N	5E	LIBERTY

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

**Diversion Means:** DAM

2- SECONDARY		E2NESE	19	30N	5E	LIBERTY
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** PUMP

WATER FROM LAKE ELWELL (TIBER RESERVOIR) IS PUMPED FROM THE SECONDARY POINT OF DIVERSION VIA A PIPELINE TO THE PLACE OF USE

**Reservoir:** ON STREAM **Reservoir Name** LAKE ELWELL

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3	SESWSW	28	30N	5E	LIBERTY

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 206.00 FEET

**Depth:** 197.00 FEET

**Surface Area:** 23,805.00 ACRES

**Current Capacity:** 967,320.00 ACRE-FEET

SEE THE NATIONAL INVENTORY OF DAMS REPORT 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				20	32N	6E	LIBERTY
2				21	32N	6E	LIBERTY
3				28	32N	6E	LIBERTY

THE PLACE OF USE IS THE TOWN OF CHESTER.

**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.

40750-00	40751-00	40752-00	40753-00	40755-00	40757-00	40765-00
40766-00	40767-00	40768-00	40769-00	40770-00	40771-00	40772-00
40774-00						

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED

**Remarks:**

BY REVIEWING FILE NO. 41P 40750-00.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 41P 40750-00, 41P 40751-00, 41P 40752-00, 41P 40753-00, 41P 40755-00, 41P 40757-00, 41P 40758-00, 41P 40759-00, 41P 40760-00, 41P 40761-00, 41P 40762-00, 41P 40763-00, 41P 40764-00, 41P 40768-00, 41P 40769-00, 41P 40770-00, 41P 40771-00, 41P 40772-00, 41P 40774-00.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED EXHIBIT F IS 03/06/1956.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE RIGHT.

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME IS 382.50 GALLONS PER CAPITA PER DAY (GPCD) BASED ON THE 1984 CENSUS POPULATION OF 1167 PEOPLE.