

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: 411 40803-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: TOSTON IRRIGATION DISTRICT
PO BOX 80
TOSTON, MT 59643

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

THIS IRRIGATION DISTRICT WAS ESTABLISHED UNDER TITLE 85, CHAPTER 7, MCA. THE DISTRICT WAS CREATED BY DECREE NO. 4369 IN THE FIRST JUDICIAL DISTRICT COURT IN TOWNSEND ON JULY 18, 1955.

Priority Date: SEPTEMBER 18, 1952

Enforceable Priority Date: SEPTEMBER 18, 1952

Type of Historical Right: FILED

Purpose (use): STOCK
THIS WATER RIGHT IS FOR STOCKWATER FROM CANALS, LATERALS, DRAINS, OR ANY SOURCE OF RETURN FLOWS WITHIN THE BOUNDARIES OF THE TOSTON IRRIGATION DISTRICT.

Maximum Flow Rate: 117.00 CFS

Maximum Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MISSOURI RIVER
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	2	NENWNE	11	4N	2E	BROADWATER

Period of Diversion: APRIL 1 TO NOVEMBER 4

Diversion Means: PUMP

Ditch Name: TOSTON TUNNEL-TOSTON CANAL-LOMBARD CANAL

Period of Use: APRIL 1 to NOVEMBER 4

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			SE	12	4N	1E	BROADWATER
2				13	4N	1E	BROADWATER
3			N2	24	4N	1E	BROADWATER
4			NESE	24	4N	1E	BROADWATER
5				2	4N	2E	BROADWATER
6				3	4N	2E	BROADWATER
7				4	4N	2E	BROADWATER
8				5	4N	2E	BROADWATER
9			S2	6	4N	2E	BROADWATER
10				7	4N	2E	BROADWATER
11				8	4N	2E	BROADWATER
12			N2	9	4N	2E	BROADWATER
13			SW	9	4N	2E	BROADWATER
14				17	4N	2E	BROADWATER
15				18	4N	2E	BROADWATER
16			NW	19	4N	2E	BROADWATER
17			NWSW	19	4N	2E	BROADWATER
18			SW	26	5N	2E	BROADWATER
19			NW	27	5N	2E	BROADWATER
20			S2	27	5N	2E	BROADWATER
21			SE	28	5N	2E	BROADWATER
22				33	5N	2E	BROADWATER

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>
23				34	5N	2E	BROADWATER
24				35	5N	2E	BROADWATER

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.

40802-00 40803-00 40804-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/28/82: NUMBER OF STOCK, TYPE OF HISTORICAL RIGHT, PRIORITY DATE, POINT OF DIVERSION, VOLUME.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/93.

STORED WATER FROM CANYON FERRY RESERVOIR MAY BE RELEASED TO MAKE UP FOR UPSTREAM DEPLETION BY THE CROW CREEK PUMPING UNIT. REFER TO WATER RIGHT NO. 411-W-040918-00.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. W040802-00.

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

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