

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 40918-00 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: MARCH 23, 1953

Enforceable Priority Date: MARCH 23, 1953

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

THIS RIGHT PROVIDES STORED WATER FROM CANYON FERRY LAKE FOR FULL SERVICE AND SUPPLEMENTAL IRRIGATION CONTRACTS. IN ADDITION, THIS RIGHT IS FOR STORAGE RELEASED FROM CANYON FERRY LAKE TO PROVIDE REPLACEMENT WATER IN THE MISSOURI RIVER DURING PERIODS WHEN FLOWS ARE INSUFFICIENT TO MEET PRIOR RIGHTS. SEE EXHIBITS A, I, J, AND K IN FILE 411 Z040914-00.

Maximum Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 108,675.00 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 55,432.30

Source Name: MISSOURI RIVER

Source Type: SURFACE WATER

STORED WATER FROM CANYON FERRY LAKE IS RELEASED AND EXCHANGED FOR WATER DIVERTED FROM THE RED ROCK RIVER, BEAVERHEAD RIVER, AND MISSOURI RIVER.

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	12	NWSESE	4	10N	1W	LEWIS AND CLARK

Period of Diversion: APRIL 1 TO OCTOBER 19

Diversion Means: DAM

2	13	NWSESE	4	10N	1W	LEWIS AND CLARK
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Period of Diversion: APRIL 1 TO OCTOBER 19

Diversion Means: DAM

CANYON FERRY DAM

Reservoir: ON STREAM **Reservoir Name** CANYON FERRY LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSESE	4	10N	1W	LEWIS AND CLARK

Diversion to Reservoir: DIVERSION # 1

Dam Height: 225.00 FEET

Surface Area: 35,200.00 ACRES

Current Capacity: 2,051,000.00 ACRE-FEET

THE DAM IS LOCATED IN GOVT LOTS 12 AND 13 SEC 04 TWP 10N RGE 01W LEWIS AND CLARK COUNTY.

Period of Use: APRIL 1 to OCTOBER 19

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		N2	11	7N	1E	BROADWATER
2	160.00		S2	11	7N	1E	BROADWATER
3	15.00		E2SESE	21	9N	1E	BROADWATER
4	110.00		N2S2	21	9N	1E	BROADWATER
5	75.00		W2	22	9N	1E	BROADWATER
6	30.00		S2	25	17N	2W	CASCADE

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>
Total:	550.00						

A DESCRIPTION OF THE PLACE OF USE FOR THE 55,432.3 MAXIMUM ACRES IS IDENTIFIED AS: EAST BENCH IRR. DISTRICT 30,459.0 ACRES TOSTON IRR. DISTRICT 6,311.7 ACRES HELENA VALLEY IRR. DISTRICT 18,111.6 ACRES CONTRACT NO. 14-06-600-973A 200.0 ACRES CONTRACT NO. 14-06-600-701A 160.0 ACRES CONTRACT NO. 14-06-600-734A 160.0 ACRES CONTRACT NO. 14-06-600-972A 30.0 ACRES FOR THE COMPLETE DETAILED PLACE OF USE DESCRIPTIONS FOR THE EAST BENCH, TOSTON, AND HELENA VALLEY IRRIGATION DISTRICTS, SEE FILE NOS. 41A-W040854-00, 41B-W040850-00, 41I-W040802-00, 41I-W040820-00.

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.

40917-00	40918-00	40919-00	40920-00	40921-00	40922-00	40923-00
40924-00	214057-00					

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 07/27/93.

ADDITIONAL DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NOS. 41I-Z040914-00, 41A-W040854-00, 41B-W040850-00, 41I-W040802-00, 41I-W040820-00.

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

THIS APPROPRIATION OF WATER TAKES WATER FROM THE MISSOURI RIVER ABOVE HOLTER DAM (BASIN 41I) AND USES IT IN THE MISSOURI RIVER ABOVE HOLTER DAM (BASIN 41I) AND THE MISSOURI RIVER FROM HOLTER TO SUN RIVER DRAINAGE (BASIN 41QJ). ANY OBJECTIONS TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 26672 RECEIVED 11/30/2005.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.

PART OF THE CLAIMED PLACE OF USE MAY BE QUESTIONABLE. IT DOES NOT APPEAR THE PLACE OF USE IN S 1/2 SEC 25 T17N R2W CASCADE CO. CAN BE IRRIGATED FROM THE CLAIMED SOURCE.

IN REGARD TO THE 550 ACRES IDENTIFIED IN THE PLACE OF USE PARCELS 1-6, THE BROADWATER (1956) AND CASCADE (1961) COUNTY WATER RESOURCES SURVEYS SHOW 130 ACRES BEING IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

IN REGARD TO THE 550 ACRES IDENTIFIED IN THE PLACE OF USE PARCELS 1-6, USDA AERIAL PHOTOGRAPH NOS. 177-40 379-206, 379-208, 379-223, 1978 SHOW 502.5 ACRES BEING IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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

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