

ABSTRACT OF WATER RIGHTS WHICH ARE SUBJECT TO THE COMPACT
BETWEEN THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA
FOR BIG HOLE NATIONAL BATTLEFIELD, 85-20-401, M.C.A.

APPENDIX 1.A - BIG HOLE NATIONAL BATTLEFIELD

- I. Reserved Water Right For Consumptive Use at Big Hole National Battlefield Under Executive Order No. 1216 of June 23, 1910, Presidential Proclamation No. 2339 of June 29, 1939, 53 Stat. 2544 and Act of May 17, 1963, 77 Stat. 18.
- A. PRELIMINARY DECREE BIG HOLE RIVER BASIN 41D DECREE
ABSTRACT OF WATER COURT
- .1 Water Right Number
- .i Purpose (Use): Park commercial use, domestic use, administration use and irrigation use.
- .ii Source: Ground water tributary to the Big Hole River.
- .iii Priority Date: June 29, 1939.
- .iv Flow Rate: Maximum flow rate is 50 gpm.
- .v Volume: 7.14 AFY.
- .vi Period of Use: January 1 - December 31.
- .vii Point and Means of Diversion: The point of diversion is Section 24, T 2 S, R 17 W, NE-SW-SE.
- .viii Place of Use: Visitors Center, Administrative Offices, and Residences located in Section 24, T 2 S, R 17 W, NE-SW-SE and Section 25, T 2 S, R 17 W,

NE-NW-NE.

.ix Remarks: This is a Reserved Water
Right which is subject to the Compact
between the United States of America and
the State of Montana, codified at
§85-20-401 M.C.A. (1995)

II. Reserved Water Rights For Nonconsumptive Use in the North Fork of the Big Hole River at Big Hole National Battlefield Under Executive Order No. 1216 of June 23, 1910, Presidential Proclamation No. 2339 of June 29, 1939, 53 Stat. 2544 and Act of May 17, 1963, 77 Stat. 18.

A. PRELIMINARY DECREE BIG HOLE RIVER BASIN 41D DECREE
ABSTRACT OF WATER COURT

.1 Water Right Number

.i Purpose (Use): Instream flow uses.

.ii Source: North Fork Big Hole River and all of its tributaries.

.iii Priority Date: June 29, 1939.

.iv Flow Rate: 10 cfs provided, the flow rate notwithstanding, the instream flow water rights of the United States shall be subordinate to any water rights recognized under State law with a priority date before January 1, 1993.

.v Period of Use: November 1 - March 31.

.vi Point and Means of Diversion (Beginning and Ending Point of Instream Flow) Where each segment of the North Fork of the Big Hole River enters the reserved land of the park, and ending where each segment of the North Fork of the Big Hole River exits the reserved lands of the park.

.vii Place of Use: Within the park.

.viii Remarks: This is a Reserved Water Right which is subject to the Compact between the United States of America and the State of Montana, codified at §85-20-401 M.C.A. (1995).

Appendix 1.A

Abstract

.2 Water Right Number

.i Purpose (Use): Instream flow uses.

.ii Source: North Fork Big Hole River.

.iii Priority Date: June 29, 1939.

.iv Flow Rate: Entire flow of source in excess of amount diverted by rights described in Article III.A.2 of the Compact between the United States of America and the State of Montana, codified at §85-20-401 M.C.A. (1995) and current and future consumptive use in the amounts up to but not exceeding:

<u>Month</u>	<u>Consumptive Use (cfs)</u>
April	4.85
May	23.85
June	18.70
July	4.05
Aug.	1.75
Sept.	1.35
Oct.	1.50

provided the flow rates, notwithstanding, the instream flow water rights of the United States shall be subordinate to any water rights recognized under State law with a priority date before January 1, 1993.

.v Period of Use: April 1 - October 31.

.vi Point and Means of Diversion (Beginning and Ending Point of Instream Flow) Where each segment of the North Fork of the Big Hole River enters the reserved land of the park, and ending where each segment of the North Fork of the Big Hole River exits the reserved lands of the park.

.vii Place of Use: Within the park.

Appendix 1.A

Abstract

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Remarks: This is a Reserved Water Right which is subject to the Compact between the United States of America and the State of Montana, codified at §85-20-401 M.C.A. (1995).