

**STATEMENT OF CLAIM
FOR FUTURE USE RESERVED WATER RIGHTS
POWER GENERATION**

In the Water Court of the State of Montana

1. **Basin Number:** 76L
Claim Number: 30082479
2. **Owner of Water Right:** THE UNITED STATES IN TRUST FOR THE BENEFIT OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD INDIAN RESERVATION
Mailing Address: BUREAU OF INDIAN AFFAIRS
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169
3. **Source:** FLATHEAD RIVER
Source Type: SURFACE WATER
4. **Volume Claimed:** N/A (NON-CONSUMPTIVE WATER USE)
5. **Peak Flow Rate:** 35,000 CUBIC FEET PER SECOND
6. **Priority Date:** JULY 16, 1855
7. **Purpose of Use:** POWER GENERATION
8. **Remarks:**

POWER GENERATION SITE NAME: BUFFALO RAPIDS #2

PLACE OF USE: INSTREAM

THIS CLAIM ARISES UNDER FEDERAL LAW, INCLUDING THE INDIAN NON-INTERCOURSE ACT, 25 U.S.C. § 177, THE HELL GATE TREATY OF JULY 16, 1855 TREATY, 12 STAT. 975 (RATIFIED MARCH 8, 1859) AND CASES INTERPRETING THESE AND OTHER LAWS, SUCH AS WINTERS V. UNITED STATES, 207 U.S. 564 (1908), ARIZONA V. CALIFORNIA, 373 U.S. 546 (1963), AND UNITED STATES V. MCINTYRE, 101 F.2D 650 (9TH CIR. 1939) (“BEING RESERVED NO TITLE TO THE WATERS COULD BE ACQUIRED BY ANYONE EXCEPT AS SPECIFIED BY CONGRESS.”). THE CLAIM IS ENTIRELY GOVERNED BY FEDERAL LAW, ARIZONA V. SAN CARLOS APACHE TRIBE, 463 U.S. 545, 570-71 (1983).

**STATEMENT OF CLAIM
FOR FUTURE USE RESERVED WATER RIGHTS
POWER GENERATION**
In the Water Court of the State of Montana

1. **Basin Number:** 76L
Claim Number: 30082480
2. **Owner of Water Right:** THE UNITED STATES IN TRUST FOR THE BENEFIT OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD INDIAN RESERVATION
Mailing Address: BUREAU OF INDIAN AFFAIRS
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169
3. **Source:** FLATHEAD RIVER
Source Type: SURFACE WATER
4. **Volume Claimed:** N/A (NON-CONSUMPTIVE WATER USE)
5. **Peak Flow Rate:** 35,000 CUBIC FEET PER SECOND
6. **Priority Date:** JULY 16, 1855
7. **Purpose of Use:** POWER GENERATION
8. **Remarks:**

POWER GENERATION SITE NAME: BUFFALO RAPIDS #4

PLACE OF USE: INSTREAM

THIS CLAIM ARISES UNDER FEDERAL LAW, INCLUDING THE INDIAN NON-INTERCOURSE ACT, 25 U.S.C. § 177, THE HELL GATE TREATY OF JULY 16, 1855 TREATY, 12 STAT. 975 (RATIFIED MARCH 8, 1859) AND CASES INTERPRETING THESE AND OTHER LAWS, SUCH AS WINTERS V. UNITED STATES, 207 U.S. 564 (1908), ARIZONA V. CALIFORNIA, 373 U.S. 546 (1963), AND UNITED STATES V. MCINTYRE, 101 F.2D 650 (9TH CIR. 1939) (“BEING RESERVED NO TITLE TO THE WATERS COULD BE ACQUIRED BY ANYONE EXCEPT AS SPECIFIED BY CONGRESS.”). THE CLAIM IS ENTIRELY GOVERNED BY FEDERAL LAW, ARIZONA V. SAN CARLOS APACHE TRIBE, 463 U.S. 545, 570-71 (1983).