

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: 41C 77973-00 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: GARNET USA LLC
% KRISTINA LUECK OFFICE MANAGER
PO BOX 161
ALDER, MT 59710-0161

Priority Date: JULY 22, 1991 at 10:16 A.M.

Enforceable Priority Date: JULY 22, 1991 at 10:16 A.M.

Purpose (use): MINING
Maximum Flow Rate: 2,050.00 GPM
Maximum Volume: 1.61 AC-FT

Source Name: ALDER GULCH CREEK
Source Type: SURFACE WATER

AND GROUNDWATER

Source Name: SURFACE WATER
Source Type: SURFACE WATER

AND GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2	SES	4	6S	4W MADISON

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: ALDER GULCH CREEK
Diversion Means: PUMP

2		E2	E2NW	9	6S	4W MADISON
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: ALDER GULCH CREEK
Diversion Means: PUMP

3		E2		9	6S	4W MADISON
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: ALDER GULCH CREEK
Diversion Means: PUMP

4		S2		10	6S	4W MADISON
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: ALDER GULCH CREEK
Diversion Means: PUMP

5		W2	SW	10	6S	4W MADISON
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: SURFACE WATER
Diversion Means: PUMP

6		S2	NWSW	11	6S	4W MADISON
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: ALDER GULCH CREEK
Diversion Means: PUMP

DIVERSION MEANS ARE PUMP AND PIT.

THE RESERVOIR LISTED IN THE W2SW OF SECTION 10 (USED AT PLANT SITE) IS STATIONARY - ALL OTHER POINTS OF DIVERSION ARE TRANSITORY MINING SITES.

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
W2SW		10	6S	4W	MADISON

Surface Area: 1.00 ACRES
Current Capacity: 6.80 ACRE-FEET

Purpose (Use): MINING
Volume: 1.61 AC-FT
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			E2SESW	4	6S	4W	MADISON
2			E2E2NW	9	6S	4W	MADISON
3			E2	9	6S	4W	MADISON
4			S2	10	6S	4W	MADISON
5			W2SW	10	6S	4W	MADISON
6			S2NWSW	11	6S	4W	MADISON

THE PLACE OF USE LISTED IN THE W2SW OF SECTION 10 (PLANT SITE) IS STATIONARY - ALL OTHER PLACES OF USE LISTED ARE TRANSITORY MINING SITES.

Geocodes/Valid: 25-0420-04-3-01-01-0000 - Y 25-0420-09-1-01-01-0000 - Y
 25-0420-09-4-01-01-0000 - Y 25-0420-09-4-02-01-0000 - Y
 25-0420-09-4-04-05-0000 - Y 25-0420-10-1-01-05-0000 - Y
 25-0420-10-3-01-01-0000 - Y 25-0420-10-3-01-04-0000 - Y
 25-0420-10-3-01-05-0000 - Y 25-0420-10-3-01-07-0000 - Y
 25-0420-10-3-01-09-0000 - Y 25-0420-10-3-01-11-0000 - Y
 25-0420-10-3-01-13-0000 - Y 25-0420-10-3-01-20-0000 - Y
 25-0420-10-4-02-01-0000 - Y 25-0420-11-3-02-01-0000 - Y

Remarks:

DECREEED STREAM - COMMISSIONER

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS.

WATER MEASUREMENT - ANNUAL DATA

MEASUREMENT DATA: 1998 35037.81 GPM 00000.00 AC-FT

OBJECTION INFORMATION

OBJECTION LOG 13-441 MPC & OTHERS

WATER MEASUREMENT REQUIREMENT - UNIQUE TYPE

THE PERMITTEE SHALL INSTALL AN ADEQUATE FLOW MEASURING DEVICE IN ALDER GULCH CREEK AT A POINT IN THE NWSESW OF SECTION 4, TWP. 6S, RGE. 4W DOWNSTREAM FROM WHERE THE CREEK FLOWS OUT OF THE ALDER GULCH TAILINGS. THE PERMITTEE SHALL KEEP MONTHLY WRITTEN RECORDS OF THE FLOW RATE OF ALDER GULCH CREEK, INCLUDING THE PERIOD OF TIME, AND SHALL SUBMIT SAID RECORDS BY NOVEMBER 30 OF EACH YEAR TO THE BOZEMAN WATER RESOURCES REGIONAL OFFICE. PHONE 406-586-3136.

OWNERSHIP UPDATE RECEIVED

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/20/96.

OWNERSHIP UPDATE RECEIVED

NOTICE OF WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/12/99.

OWNERSHIP UPDATE RECEIVED

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/20/00.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 17305 RECEIVED 10/15/2004.
OWNERSHIP UPDATE TYPE 608 # 101772 RECEIVED 11/23/2011.