

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: 76LJ 30050670 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: FLATHEAD COUNTY ROAD & BRIDGE DEPT
1249 WILLOW GLEN RD
KALISPELL, MT 59901

Priority Date: APRIL 4, 2011 at 04:37 P.M.

Enforceable Priority Date: APRIL 4, 2011 at 04:37 P.M.

Purpose (use): INDUSTRIAL

Maximum Flow Rate: 800.00 GPM

Maximum Volume: 2.79 AC-FT

Source Name: FLATHEAD RIVER, NORTH FORK

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	14	SW	1	36N	22W	FLATHEAD

Period of Diversion: APRIL 16 TO JULY 15

Diversion Means: PUMP

2	3	NE	24	36N	22W	FLATHEAD
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Period of Diversion: APRIL 16 TO JULY 15

Diversion Means: PUMP

3	6	SW	32	36N	21W	FLATHEAD
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Period of Diversion: APRIL 16 TO JULY 15

Diversion Means: PUMP

4	5	NE	22	35N	21W	FLATHEAD
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Period of Diversion: APRIL 16 TO JULY 15

Diversion Means: PUMP

Purpose (Use): INDUSTRIAL **Purpose Clarification:** DUST ABATEMENT

Volume:

Period of Use: APRIL 16 to JULY 15

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			SW	7	34N	20W	FLATHEAD
2			W2	17	34N	20W	FLATHEAD
3				18	34N	20W	FLATHEAD
4				19	34N	20W	FLATHEAD
5			W2	20	34N	20W	FLATHEAD
6			SW	21	34N	20W	FLATHEAD
7			NW	28	34N	20W	FLATHEAD
8				29	34N	20W	FLATHEAD
9				30	34N	20W	FLATHEAD
10			N2	31	34N	20W	FLATHEAD
11			SW	1	34N	21W	FLATHEAD
12				2	34N	21W	FLATHEAD
13				3	34N	21W	FLATHEAD
14				4	34N	21W	FLATHEAD
15				5	34N	21W	FLATHEAD
16				6	34N	21W	FLATHEAD
17				7	34N	21W	FLATHEAD
18				8	34N	21W	FLATHEAD
19				9	34N	21W	FLATHEAD
20				10	34N	21W	FLATHEAD
21				11	34N	21W	FLATHEAD
22			SE	12	34N	21W	FLATHEAD

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>
23			W2	12	34N	21W	FLATHEAD
24				13	34N	21W	FLATHEAD
25				14	34N	21W	FLATHEAD
26				15	34N	21W	FLATHEAD
27				16	34N	21W	FLATHEAD
28				17	34N	21W	FLATHEAD
29				18	34N	21W	FLATHEAD
30				19	34N	21W	FLATHEAD
31				20	34N	21W	FLATHEAD
32				21	34N	21W	FLATHEAD
33				22	34N	21W	FLATHEAD
34				23	34N	21W	FLATHEAD
35				24	34N	21W	FLATHEAD
36				25	34N	21W	FLATHEAD
37				26	34N	21W	FLATHEAD
38				27	34N	21W	FLATHEAD
39				28	34N	21W	FLATHEAD
40				29	34N	21W	FLATHEAD
41				30	34N	21W	FLATHEAD
42			NE	32	34N	21W	FLATHEAD
43			N2	33	34N	21W	FLATHEAD
44			N2	34	34N	21W	FLATHEAD
45			N2	35	34N	21W	FLATHEAD
46			N2	36	34N	21W	FLATHEAD
47				1	34N	22W	FLATHEAD
48				2	34N	22W	FLATHEAD
49				3	34N	22W	FLATHEAD
50				4	34N	22W	FLATHEAD
51			NE	9	34N	22W	FLATHEAD
52				10	34N	22W	FLATHEAD
53				11	34N	22W	FLATHEAD
54				12	34N	22W	FLATHEAD
55				13	34N	22W	FLATHEAD
56				14	34N	22W	FLATHEAD
57			NE	15	34N	22W	FLATHEAD
58			N2	23	34N	22W	FLATHEAD
59			SE	23	34N	22W	FLATHEAD
60				24	34N	22W	FLATHEAD
61			N2	25	34N	22W	FLATHEAD
62			W2	5	35N	21W	FLATHEAD
63				6	35N	21W	FLATHEAD
64				7	35N	21W	FLATHEAD
65				8	35N	21W	FLATHEAD
66			SW	9	35N	21W	FLATHEAD
67			S2	15	35N	21W	FLATHEAD
68				16	35N	21W	FLATHEAD
69				17	35N	21W	FLATHEAD
70				18	35N	21W	FLATHEAD
71				19	35N	21W	FLATHEAD
72				20	35N	21W	FLATHEAD
73				21	35N	21W	FLATHEAD
74				22	35N	21W	FLATHEAD
75			W2	23	35N	21W	FLATHEAD
76			W2	26	35N	21W	FLATHEAD
77				27	35N	21W	FLATHEAD
78				28	35N	21W	FLATHEAD
79				29	35N	21W	FLATHEAD
80				30	35N	21W	FLATHEAD
81				31	35N	21W	FLATHEAD
82				32	35N	21W	FLATHEAD
83				33	35N	21W	FLATHEAD
84				34	35N	21W	FLATHEAD
85				35	35N	21W	FLATHEAD
86				1	35N	22W	FLATHEAD
87				2	35N	22W	FLATHEAD
88				3	35N	22W	FLATHEAD
89				4	35N	22W	FLATHEAD
90				5	35N	22W	FLATHEAD

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>
91				6	35N	22W	FLATHEAD
92				7	35N	22W	FLATHEAD
93				8	35N	22W	FLATHEAD
94				9	35N	22W	FLATHEAD
95				10	35N	22W	FLATHEAD
96				11	35N	22W	FLATHEAD
97				12	35N	22W	FLATHEAD
98				13	35N	22W	FLATHEAD
99				14	35N	22W	FLATHEAD
100				15	35N	22W	FLATHEAD
101				16	35N	22W	FLATHEAD
102				17	35N	22W	FLATHEAD
103				18	35N	22W	FLATHEAD
104				19	35N	22W	FLATHEAD
105				20	35N	22W	FLATHEAD
106				21	35N	22W	FLATHEAD
107				22	35N	22W	FLATHEAD
108				23	35N	22W	FLATHEAD
109				24	35N	22W	FLATHEAD
110				25	35N	22W	FLATHEAD
111				26	35N	22W	FLATHEAD
112				27	35N	22W	FLATHEAD
113				28	35N	22W	FLATHEAD
114				29	35N	22W	FLATHEAD
115				30	35N	22W	FLATHEAD
116			NE	31	35N	22W	FLATHEAD
117				32	35N	22W	FLATHEAD
118				33	35N	22W	FLATHEAD
119				34	35N	22W	FLATHEAD
120				35	35N	22W	FLATHEAD
121				36	35N	22W	FLATHEAD
122				1	35N	23W	FLATHEAD
123				2	35N	23W	FLATHEAD
124			E2	11	35N	23W	FLATHEAD
125				12	35N	23W	FLATHEAD
126				13	35N	23W	FLATHEAD
127			E2	24	35N	23W	FLATHEAD
128			NW	18	36N	21W	FLATHEAD
129			W2	19	36N	21W	FLATHEAD
130				30	36N	21W	FLATHEAD
131				31	36N	21W	FLATHEAD
132			SW	32	36N	21W	FLATHEAD
133			W2	1	36N	22W	FLATHEAD
134				2	36N	22W	FLATHEAD
135				3	36N	22W	FLATHEAD
136				4	36N	22W	FLATHEAD
137				5	36N	22W	FLATHEAD
138				6	36N	22W	FLATHEAD
139				7	36N	22W	FLATHEAD
140				8	36N	22W	FLATHEAD
141				9	36N	22W	FLATHEAD
142				10	36N	22W	FLATHEAD
143				11	36N	22W	FLATHEAD
144				12	36N	22W	FLATHEAD
145				13	36N	22W	FLATHEAD
146				14	36N	22W	FLATHEAD
147				15	36N	22W	FLATHEAD
148				16	36N	22W	FLATHEAD
149				17	36N	22W	FLATHEAD
150				18	36N	22W	FLATHEAD
151				19	36N	22W	FLATHEAD
152				20	36N	22W	FLATHEAD
153				21	36N	22W	FLATHEAD
154				22	36N	22W	FLATHEAD
155				23	36N	22W	FLATHEAD
156				24	36N	22W	FLATHEAD
157				25	36N	22W	FLATHEAD
158				26	36N	22W	FLATHEAD

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>
159				27	36N	22W	FLATHEAD
160				28	36N	22W	FLATHEAD
161				29	36N	22W	FLATHEAD
162				30	36N	22W	FLATHEAD
163				31	36N	22W	FLATHEAD
164				32	36N	22W	FLATHEAD
165				33	36N	22W	FLATHEAD
166				34	36N	22W	FLATHEAD
167				35	36N	22W	FLATHEAD
168				36	36N	22W	FLATHEAD
169				1	36N	23W	FLATHEAD
170				2	36N	23W	FLATHEAD
171				3	36N	23W	FLATHEAD
172				10	36N	23W	FLATHEAD
173				11	36N	23W	FLATHEAD
174				12	36N	23W	FLATHEAD
175				13	36N	23W	FLATHEAD
176				14	36N	23W	FLATHEAD
177			N2	15	36N	23W	FLATHEAD
178			SE	15	36N	23W	FLATHEAD
179			E2	22	36N	23W	FLATHEAD
180				23	36N	23W	FLATHEAD
181				24	36N	23W	FLATHEAD
182				25	36N	23W	FLATHEAD
183				26	36N	23W	FLATHEAD
184			E2	27	36N	23W	FLATHEAD
185			E2	34	36N	23W	FLATHEAD
186				35	36N	23W	FLATHEAD
187				36	36N	23W	FLATHEAD
188			SW	4	37N	22W	FLATHEAD
189			S2	5	37N	22W	FLATHEAD
190			SE	6	37N	22W	FLATHEAD
191				7	37N	22W	FLATHEAD
192				8	37N	22W	FLATHEAD
193				9	37N	22W	FLATHEAD
194			SW	10	37N	22W	FLATHEAD
195			SW	14	37N	22W	FLATHEAD
196				15	37N	22W	FLATHEAD
197				16	37N	22W	FLATHEAD
198				17	37N	22W	FLATHEAD
199				18	37N	22W	FLATHEAD
200				19	37N	22W	FLATHEAD
201				20	37N	22W	FLATHEAD
202				21	37N	22W	FLATHEAD
203				22	37N	22W	FLATHEAD
204			SE	23	37N	22W	FLATHEAD
205			W2	23	37N	22W	FLATHEAD
206			W2	25	37N	22W	FLATHEAD
207				26	37N	22W	FLATHEAD
208				27	37N	22W	FLATHEAD
209				28	37N	22W	FLATHEAD
210				29	37N	22W	FLATHEAD
211				30	37N	22W	FLATHEAD
212				31	37N	22W	FLATHEAD
213				32	37N	22W	FLATHEAD
214				33	37N	22W	FLATHEAD
215				34	37N	22W	FLATHEAD
216				35	37N	22W	FLATHEAD
217				36	37N	22W	FLATHEAD
218			SE	12	37N	23W	FLATHEAD
219			E2	13	37N	23W	FLATHEAD
220			SW	13	37N	23W	FLATHEAD
221			E2	23	37N	23W	FLATHEAD
222				24	37N	23W	FLATHEAD
223				25	37N	23W	FLATHEAD
224			E2	26	37N	23W	FLATHEAD
225			SW	26	37N	23W	FLATHEAD
226			E2	35	37N	23W	FLATHEAD

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>
227			E2W2	35	37N	23W	FLATHEAD
228				36	37N	23W	FLATHEAD

Remarks:

ASSOCIATED RIGHT

WATER RIGHT PERMITS 76LJ 30050669, 76LJ 30050670 AND 76LJ 30050671 ARE ASSOCIATED BECAUSE THEY PROVIDE WATER FOR ROAD CONSTRUCTION AND DUST ABATEMENT IN THE NORTH FORK OF THE FLATHEAD RIVER DRAINAGE BASIN. THE TOTAL COMBINED DIVERSION RATE SHALL NOT EXCEED 800 GPM.

CLARK FORK RIVER BASIN LAW

THIS PROVISIONAL WATER USE PERMIT HAS A PRIORITY DATE THAT IS JUNIOR TO THE RIGHTS OF SENIOR WATER RIGHT HOLDERS IN THE CLARK FORK RIVER BASIN. IN ACCORDANCE WITH MONTANA LAW, YOU MAY BE SUBJECT TO A CALL BY SENIOR WATER RIGHT HOLDERS, IN WHICH CASE YOU MAY BE REQUIRED TO DISCONTINUE YOUR USE OF WATER FOR THE PERIOD OF THE CALL.

CONFEDERATED SALISH AND KOOTENAI TRIBES - RESERVED WATER RIGHTS

THIS RIGHT IS SUBJECT TO ALL PRIOR INDIAN RESERVED WATER RIGHTS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES IN THE SOURCE OF SUPPLY. IT IS THE TRIBE'S POSITION THAT THE EXERCISE OF JUNIOR WATER RIGHTS EITHER WITHIN OR OUTSIDE OF THE EXTERIOR BOUNDARIES OF THE FLATHEAD INDIAN RESERVATION MAY AFFECT THE RESERVED WATER RIGHTS OF THE TRIBE WITHIN THE EXTERIOR BOUNDARIES OF THE RESERVATION. IT IS THE TRIBE'S POSITION THAT ECONOMIC INVESTMENTS MADE IN RELIANCE UPON THIS RIGHT DO NOT CREATE IN THE APPROPRIATOR ANY EQUITY OR VESTED RIGHT AGAINST THE TRIBES. THE APPROPRIATOR IS HEREBY NOTIFIED THAT ANY FINANCIAL OUTLAY OR WORK INVESTED IN A PROJECT PURSUANT TO THIS RIGHT IS AT APPROPRIATOR'S RISK. THE ISSUANCE OF THIS RIGHT DOES NOT REDUCE THE APPROPRIATOR'S LIABILITY FOR DAMAGE CAUSED BY THE EXERCISE OF THE RIGHT. IT DOES NOT MAKE THE DEPARTMENT LIABLE FOR DAMAGE CAUSED BY THE EXERCISE OF THE RIGHT. NOR IS THE DEPARTMENT LIABLE FOR ANY LOSS TO THE APPROPRIATOR CAUSED BY THE EXERCISE OF SENIOR RESERVED WATER RIGHTS.

IMPORTANT INFORMATION

400 GPM WAS COUNTED AS PART OF THE FUTURE SURFACE SOURCE CONSUMPTIVE USE LIMITS DETAILED IN THE U.S. NATIONAL PARK SERVICE-MONTANA COMPACT.

U.S. NATIONAL PARK SERVICE - FUTURE CONSUMPTIVE LIMIT

THIS PERMIT WAS COUNTED AS PART OF THE FUTURE SURFACE SOURCE CONSUMPTIVE USE LIMITS DETAILED IN THE U.S. NATIONAL PARK SERVICE-MONTANA COMPACT.

U.S. NATIONAL PARK SERVICE - MONTANA COMPACT (GLACIER PARK)

THIS RIGHT IS ISSUED IN ACCORDANCE WITH THE GLACIER NATIONAL PARK PROVISIONS OF THE JANUARY 31, 1994, U.S. NATIONAL PARK SERVICE-MONTANA COMPACT.