

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: 76L 65085-00 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
SUSAN M LAKE
59969 US HWY 93
RONAN, MT 59864

JACK A LAKE
59969 US HWY 93
RONAN, MT 59864

Priority Date: FEBRUARY 18, 1987 at 02:10 P.M.

Enforceable Priority Date: FEBRUARY 18, 1987 at 02:10 P.M.

Purpose (use): DOMESTIC
FISHERY
DOMESTIC INCLUDES A HEAT PUMP SYSTEM. FISH PONDS ARE FLOW THROUGH.

Maximum Flow Rate: 142.00 GPM

Maximum Volume: 117.26 AC-FT

Source Name: GROUNDWATER
Source Type: GROUNDWATER

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		NENWNW	25	21N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL
Well Depth: 339.00 FEET
Static Water Level: 29.00 FEET
Casing Diameter: 8.00 INCHES

2		SENE	26	21N	20W	LAKE
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL
FLOWING

Reservoir: OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNWNW	25	21N	20W	LAKE

Current Capacity: 0.40 ACRE-FEET

Reservoir: OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2NWNW	25	21N	20W	LAKE

Current Capacity: 0.50 ACRE-FEET

Purpose (Use): DOMESTIC
Households: 0
Volume: 17.60 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		E2NWNW		25	21N	20W	LAKE

Purpose (Use): FISHERY
Volume: 87.04 AC-FT
Period of Use: OCTOBER 15 to APRIL 30

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>
1			NWNWNW	25	21N	20W	LAKE
2			W2NWNW	25	21N	20W	LAKE

Geocodes/Valid: 15-3103-25-2-01-03-0000 - Y 15-3103-25-2-01-04-0000 - Y
15-3103-26-1-01-01-0000 - Y

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION.

11271-00 65085-00

ASSOCIATED RIGHT

THIS RIGHT IS ASSOCIATED WITH WATER RIGHT NO. P11271-76L. THEY HAVE A COMMON POINT OF DIVERSION.

GROUNDWATER WASTE & CONTAMINATION

THIS RIGHT IS SUBJECT TO SECTION 85-2-505, MCA, REQUIRING A WELL BE CONSTRUCTED SO IT WILL NOT ALLOW WATER TO BE WASTED OR CONTAMINATE OTHER WATER SUPPLIES OR SOURCES, AND A FLOWING WELL MUST BE CAPPED OR EQUIPPED SO THE FLOW OF THE WATER MAY BE STOPPED WHEN NOT BEING PUT TO BENEFICIAL USE.

GROUNDWATER WELL - ACCESS PORT

THE FINAL COMPLETION OF THE WELL(S) MUST INCLUDE AN ACCESS PORT OF AT LEAST .50 INCH SO THE STATIC LEVEL OF THE WELL MAY BE ACCURATELY MEASURED.

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 ECONOMIC INVESTMENTS MADE IN RELIANCE UPON THIS RIGHT, DO NOT CREATE IN THE APPROPRIATOR ANY EQUITY OF 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 THE 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. THE STATE OF MONTANA'S JURISDICTION TO ISSUE WATER RIGHTS WITHIN THE EXTERIOR BOUNDARIES OF THE FLATHEAD RESERVATION HAS BEEN CHALLENGED BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES IN CAUSE NO. ADV 92-745 (MONTANA FIRST JUDICIAL DISTRICT COURT, LEWIS AND CLARK COUNTY, HELENA - FILED MAY 15, 1992), ON APPEAL TO THE MONTANA SUPREME COURT AND IN CAUSE NO. CV-92-54-M-CCL (UNITED STATES DISTRICT COURT, DISTRICT OF MONTANA, MISSOULA DIVISION - FILED MAY 15, 1992) WHICH CASES ARE CURRENTLY PENDING. ANY WATER RIGHT ISSUED BY THE STATE IN THE ABSENCE OF JURISDICTION TO ISSUE THE WATER RIGHT IS VOID.

IMPORTANT INFORMATION

THE FLOW FROM THE NEW WELL (DEPTH 339.50 FEET) LOCATED IN THE NENWNW OF SEC. 25, TWP. 21N, RGE. 20W, LAKE COUNTY IS RESTRICTED FOR FISHERY PURPOSES TO ONLY THAT WHICH IS NECESSARY FOR FISH PROPAGATION, NOT TO EXCEED 100 GALLONS PER MINUTE UP TO 87.04 ACRE-FEET PER YEAR.

IMPORTANT INFORMATION

THERE ARE THREE OFF-STREAM FLOW THROUGH FISH PONDS; TWO PONDS (WITH CAPACITIES OF .4 AC-FT AND .55 AC-FT, RESPECTIVELY) AS LISTED ABOVE AND ONE EXISTING .65 AC-FT POND LOCATED IN THE SENENE OF SEC. 26, TWP. 21N, RGE. 20W, LAKE COUNTY.

IMPORTANT INFORMATION

THE FLOWING ARTESIAN WELL WILL FLOW INTO THE THREE OFF-STREAM FISH PONDS DURING THE OFF IRRIGATION SEASON.

OBJECTION INFORMATION

12-180

OWNERSHIP UPDATE RECEIVED

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/18/95.