

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 80205-00 PROVISIONAL PERMIT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** LAKESIDE COUNTY WATER AND SEWER DISTRICT  
253 BIERNEY CREEK RD  
LAKESIDE, MT 59922

**Priority Date:** JANUARY 15, 1992 at 04:15 P.M.

**Enforceable Priority Date:** JANUARY 15, 1992 at 04:15 P.M.

**Purpose (use):** MULTIPLE DOMESTIC

**Maximum Flow Rate:** 90.00 GPM

**Maximum Volume:** 41.10 AC-FT

**Source Name:** GROUNDWATER

**Source Type:** 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		NENESW	6	26N	20W	FLATHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Well Depth:** 296.00 FEET

**Static Water Level:** 105.00 FEET

**Casing Diameter:** 8.00 INCHES

**Pump Size:** 15.00 HP

THIS WELL IS MANIFOLD INTO THE EXISTING SYSTEM.

**Purpose (Use):** MULTIPLE DOMESTIC

**Households:** 103

**Volume:** 41.10 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</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2SENW	6	26N	20W	FLATHEAD
2			NENESW	6	26N	20W	FLATHEAD
3		2	SWNE	6	26N	20W	FLATHEAD
4		3	N2NWSE	6	26N	20W	FLATHEAD

**Remarks:**

**ASSOCIATED RIGHT**

THE FOLLOWING WATER RIGHTS ARE ASSOCIATED BECAUSE THEY SHARE THE SAME PLACE OF USE 76LJ-W-23049-00, 76LJ-P-80205-00, 76LJ-G-30109413, 76LJ-P-115782-00 AND 76LJ-W-23048-02. HOWEVER 76LJ-W-23049-00, 76LJ-P-80205-00, 76LJ-G-30109413, 76LJ-P-115782-00 NEVER APPLIED WATER TO THE COMMONS AREA. 76LJ-W-23048-02 APPLIES WATER JUST TO THE COMMONS AREA OF MISSION VIEW TERRACE SUBDIVISION.

**ASSOCIATED RIGHT**

76LJ 80205 IS ASSOCIATED WITH WATER RIGHT NO. P115782-00. THEY SHARE A COMMON WELL. THE COMBINED APPROPRIATION FOR THIS WELL SHALL NOT EXCEED 160 GPM UP TO 145 ACRE-FEET PER YEAR.

**ASSOCIATED RIGHT**

THE WELL UNDER THIS PERMIT AND 76LJ 115782 AND THE WELL UNDER 76LJ-W023049-00 AND 76LJ-K035001-00 ARE MANIFOLD INTO ONE SYSTEM.

**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**

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**Remarks:**

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. CV-92-54-M-CCL (UNITED STATES DISTRICT COURT, DISTRICT OF MONTANA, MISSOULA DIVISION - FILED MAY 15, 1992) WHICH CASE IS CURRENTLY PENDING. ANY WATER RIGHT ISSUED BY THE STATE IN THE ABSENCE OF JURISDICTION TO ISSUE THE WATER RIGHT IS VOID.

**IMPORTANT INFORMATION**

THIS WATER RIGHT DOES NOT COVER ALL LOTS IN MISSION VIEW TERRACE. THIS SERVES 103 HOUSEHOLDS THAT WERE USING THE SYSTEM ON OR BEFORE NOVEMBER 30, 2008. SEE MAP IN FILE DETAILING THE SPECIFIC LOTS NOT COVERED BY THIS WATER RIGHT.

**OBJECTION INFORMATION**

OBJECTION LOG 92-099

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 104130 RECEIVED 10/01/2012.