

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:** 41H 87314-00 PROVISIONAL PERMIT  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** BOYNE USA INC  
PO BOX 160001  
BIG SKY, MT 59716-0001

**Priority Date:** SEPTEMBER 30, 1993 at 03:00 P.M.

**Enforceable Priority Date:** SEPTEMBER 30, 1993 at 03:00 P.M.

**Purpose (use):** RECREATION  
SNOW MAKING

**Maximum Flow Rate:**

**Maximum Volume:** 100.00 AC-FT

**Source Name:** GALLATIN RIVER, MIDDLE FORK WEST 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         |                 | SENE           | 30         | 6S         | 3E         | MADISON       |

**Period of Diversion:** APRIL 15 TO JUNE 30

**Diversion Means:** DAM

**Reservoir:** ON STREAM **Reservoir Name** LAKE LEVINSKY

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
|                 | SENE           | 30         | 6S         | 3E         | MADISON       |

**Surface Area:** 9.46 ACRES

**Current Capacity:** 120.40 ACRE-FEET

**Purpose (Use):** RECREATION

**Volume:** 100.00 AC-FT

**Period of Use:** OCTOBER 1 to APRIL 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         |              |                 | S2             | 29         | 6S         | 3E         | MADISON       |
| 2         |              |                 |                | 30         | 6S         | 3E         | MADISON       |
| 3         |              |                 | NE             | 31         | 6S         | 3E         | MADISON       |

**Geocodes/Valid:** 25-0426-29-3-01-01-0000 - Y      25-0426-30-3-01-01-0000 - Y  
25-0426-31-2-01-01-0000 - Y

**Remarks:**

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**Remarks:**

**DFWP - WATER RESERVATION**

THIS RIGHT IS SUBJECT TO THE DEPARTMENT OF FISH, WILDLIFE AND PARKS' (MDFWP) WATER RESERVATION FOR INSTREAM FLOW. WHEN THE FLOW OF THE MIDDLE FK OF WEST FK OF WEST GALLATIN RIVER FALLS BELOW THE GRANTED RESERVATION, THE APPROPRIATOR SHALL CEASE DIVERTING WATER IMMEDIATELY UPON NOTIFICATION BY THE MDFWP.

**IMPORTANT INFORMATION**

MCA 85-2-343 PROVIDES THAT THE WATER USED FOR SNOW MAKING MUST BE WATER STORED DURING HIGH SPRING FLOWS. AFTER SNOW MAKING, ALL INFLOWS TO THE RESERVOIR MUST BE RELEASED AND PASSED THROUGH THE RESERVOIR UNTIL HIGH SPRING FLOWS ARE AVAILABLE TO REFILL IT.

**WATER MEASUREMENT REQUIREMENT - UNIQUE TYPE**

THIS PERMIT IS SUBJECT TO THE CONDITION THAT THE PERMITTEE SHALL INSTALL ADEQUATE FLOW METERING DEVICES IN ORDER TO COMPLY TO THE FOLLOWING REQUIREMENTS. A WATER MEASURING DEVICE SHALL BE INSTALLED AT EACH OF THE THREE INLETS TO MEASURE THE FLOW INTO LAKE LEVINSKY AND ANOTHER DEVICE INSTALLED AT THE OUTLET FROM LAKE LEVINSKY. WRITTEN RECORDS MUST BE TAKEN DAILY FROM EACH MEASURING DEVICE. A WRITTEN RECORD OF THE DATE, FLOW RATE, AND VOLUME OF WATER PUMPED FROM LAKE LEVINSKY FOR SNOW MAKING MUST ALSO BE KEPT. ALL OF THE AFOREMENTIONED WRITTEN RECORDS SHALL BE SUBMITTED BY JULY 1ST OF EACH YEAR OR UPON REQUEST TO THE BOZEMAN WATER RESOURCES REGIONAL OFFICE.