

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: 411 92815-00 PROVISIONAL PERMIT
Version: 2 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

Owners: AQUAFLO, LLC
PO BOX 1091
HELENA, MT 59624-1091

Priority Date: FEBRUARY 23, 1995 at 10:15 A.M.
Enforceable Priority Date: FEBRUARY 23, 1995 at 10:15 A.M.

Purpose (use): COMMERCIAL
IRRIGATION
MULTIPLE DOMESTIC
OTHER PURPOSE

Maximum Flow Rate: 100.00 GPM

Maximum Volume: 161.30 AC-FT

Maximum Acres: 26.40

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		SE	7	11N	3W	LEWIS AND CLARK

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: WELL
Subdivision: SKYVIEW SUBD TRACT/LOT: 14 BLOCK: 11
Well Depth: 370.00 FEET
Static Water Level: 75.00 FEET
Casing Diameter: 6.83 INCHES
Pump Size: 15.00 HP

2		SW	7	11N	3W	LEWIS AND CLARK
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: WELL
Subdivision: SKYVIEW SUBD
Well Depth: 400.00 FEET
Pump Size: 15.00 HP

Reservoir: OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SE	7	11N	3W	LEWIS AND CLARK

Current Capacity: 1.00 ACRE-FEET

Purpose (Use): COMMERCIAL
Purpose Clarification: 6 RETAIL OUTLETS
Volume: 6.00 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			NE	7	11N	3W	LEWIS AND CLARK

Subdivision: SKYVIEW SUBD

Purpose (Use): IRRIGATION
Purpose Clarification: LAWN AND GARDEN
Irrigation Type: SPRINKLER
Volume: 31.30 AC-FT
Period of Use: APRIL 15 to OCTOBER 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	8.40		E2W2NE	7	11N	3W	LEWIS AND CLARK
	Subdivision:	SKYVIEW SUBD					
2	7.60		N2SENE	7	11N	3W	LEWIS AND CLARK
	Subdivision:	SKYVIEW SUBD					
3	0.10		SWNE	7	11N	3W	LEWIS AND CLARK
	Subdivision:	SKYVIEW SUBD					
4	10.30		W2NE	7	11N	3W	LEWIS AND CLARK
Total:	26.40						

Purpose (Use): MULTIPLE DOMESTIC
Households: 211
Volume: 121.00 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			E2W2NE	7	11N	3W	LEWIS AND CLARK
	Subdivision:	SKYVIEW SUBD					
2			N2SENE	7	11N	3W	LEWIS AND CLARK
	Subdivision:	SKYVIEW SUBD					
3			SWNE	7	11N	3W	LEWIS AND CLARK
	Subdivision:	SKYVIEW SUBD					
4			W2NE	7	11N	3W	LEWIS AND CLARK

Purpose (Use): OTHER PURPOSE
Volume: 3.00 AC-FT
Period of Use: JANUARY 1 to DECEMBER 31
Purpose Clarification: MAINTENANCE/TREATMENT OF WASTEWATER

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			NWSENE	7	11N	3W	LEWIS AND CLARK
	Subdivision:	SKYVIEW SUBD TRACT/LOT 9 BLOCK: 3					
2			SENWNE	7	11N	3W	LEWIS AND CLARK
	Subdivision:	SKYVIEW SUBD TRACT/LOT 14 BLOCK: 11					

Remarks:

IMPORTANT INFORMATION

FINAL LOT COUNT APPROVED UNDER SECTION 75-5-101 MCA BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY IS 146.

WATER MEASUREMENT-INLINE FLOW METER REQUIRED

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER AT A POINT IN THE DELIVERY LINE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED, INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

WATER MEASUREMENT - STATIC WATER MEASUREMENTS REQUIRED

THE APPROPRIATOR SHALL TAKE MONTHLY STATIC WATER LEVEL MEASUREMENTS RECORDED AT A TIME WHEN THE WATER LEVEL IS STATIC. THE APPROPRIATOR SHALL KEEP WRITTEN RECORDS OF THE WATER LEVEL, METHOD OF MEASUREMENT, DATE AND TIME OF MEASUREMENT, AND DESCRIPTION OF THE MEASURING POINT ON THE CASING. IF THE SOURCE IS A FLOWING WELL, THE APPROPRIATOR SHALL INSTALL A PRESSURE MONITORING DEVICE APPROVED BY THE DEPARTMENT TO MEASURE HYDROSTATIC PRESSURE OF THE AQUIFER. THE APPROPRIATOR SHALL SUBMIT THE RECORDS BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE.

PROGRESS REPORT REQUIRED

THE APPROPRIATOR SHALL SUBMIT A PROGRESS REPORT OF THE WORK COMPLETED UNDER THIS

Remarks:

RIGHT BY NOVEMBER 30TH OF EACH YEAR UNTIL COMPLETION OF THE PROJECT. THE REPORTS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE.

PRIVATE AGREEMENT

THERE IS A PRIVATE AGREEMENT BETWEEN INDIVIDUALS WHICH HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED BY THIS DEPARTMENT.

DEPARTMENT RIGHT OF ACCESS

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF THE DEPARTMENT TO REVOKE THE RIGHT IN ACCORDANCE WITH 85-2-314 OR 85-2-402(9) , MCA, AND TO ENTER ONTO THE PREMISES FOR INVESTIGATIVE PURPOSES IN ACCORDANCE WITH 85-2-115, MCA.

POSSIBLE COMPLAINT RECEIVED

IF AT ANY TIME AFTER THIS RIGHT IS ISSUED, A WRITTEN COMPLAINT IS RECEIVED BY THE DEPARTMENT ALLEGING THAT DIVERTING WATER FROM THIS SOURCE IS ADVERSELY AFFECTING A PRIOR WATER RIGHT, THE DEPARTMENT MAY MAKE A FIELD INVESTIGATION OF THE PROJECT. IF DURING THE FIELD INVESTIGATION THE DEPARTMENT FINDS SUFFICIENT EVIDENCE SUPPORTING THE ALLEGATION, IT MAY CONDUCT A HEARING IN THE MATTER ALLOWING THE APPROPRIATOR TO SHOW CAUSE WHY THE RIGHT SHOULD NOT BE MODIFIED OR REVOKED. THE DEPARTMENT MAY THEN MODIFY OR REVOKE THIS RIGHT TO PROTECT EXISTING RIGHTS OR LEAVE THIS RIGHT UNCHANGED IF THE HEARING OFFICER DETERMINES NO EXISTING WATER RIGHTS ARE BEING ADVERSELY AFFECTED.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 43580 RECEIVED 12/28/2006.

OWNERSHIP UPDATE TYPE 608 # 43847 RECEIVED 01/16/2007.

OWNERSHIP UPDATE TYPE 608 # 52296 RECEIVED 12/06/2007.