

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 95253-00 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: JULY 20, 1995 at 02:28 P.M.
Enforceable Priority Date: JULY 20, 1995 at 02:28 P.M.

Purpose (use): IRRIGATION

Maximum Flow Rate: 250.00 GPM

Maximum Volume: 464.50 AC-FT

Maximum Acres: 412.30

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: APRIL 15 TO OCTOBER 15

Diversion Means: WELL

Well Depth: 340.00 FEET

Casing Diameter: 8.00 INCHES

Pump Size: 40.00 HP

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER

Volume: 464.50 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	71.80		S2SE	13	21N	20W	LAKE
2	122.00		NE	24	21N	20W	LAKE
3	6.00		SE	24	21N	20W	LAKE
4	68.00		S2NE	25	21N	20W	LAKE
5	144.50		SE	25	21N	20W	LAKE
Total:	412.30						

Geocodes/Valid: 15-3103-13-1-01-02-0000 - Y 15-3103-13-1-01-05-0000 - Y
15-3103-24-1-01-01-0000 - Y 15-3103-24-1-01-02-0000 - Y
15-3103-24-1-01-03-0000 - Y 15-3103-24-1-01-04-0000 - Y
15-3103-25-1-01-06-0000 - Y 15-3103-25-1-01-07-0000 - Y
15-3103-25-4-01-01-0000 - Y

Remarks:

Remarks:

ASSOCIATED RIGHT

THIS RIGHT AND PERMITS NOS. 76L-P011271-00, 76L-P095254-00, CLAIMS NOS. 76L-W001965-00, 76L-W123038-00, AND 76L-W142156-00 ARE FOR FOUR WELLS CONNECTED BY A MANIFOLD SYSTEM.

ASSOCIATED RIGHT

THIS RIGHT IS TO INCREASE THE FLOW RATE TO 750 GPM AND TO ADD 382.3 ACRES OF SUPPLEMENTAL IRRIGATION AND 30 ACRES OF NEW IRRIGATION.

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 APPROPRIATOR SHALL MEASURE AND RECORD THE STATIC WATER LEVEL EACH YEAR IN THE WELL DURING EACH OF THE FOLLOWING TIME PERIODS: 1) MARCH 1ST - 15TH; 2) JUNE 15TH - 30TH; 3) OCTOBER 15TH - 31ST. RECORDS MUST INCLUDE THE WATER PRESSURE OR STATIC WATER LEVEL (IN POUNDS PER SQUARE INCH OR DEPTH TO WATER IN FEET), METHOD OF MEASUREMENT, DATE AND TIME OF MEASUREMENT AND DESCRIPTION OF THE PRESSURE GAGE OR MEASURING POINT ON THE CASING. THE MEASUREMENT SHALL BE RECORDED ONLY AT A TIME WHEN THE FLOW HAS BEEN SHUT IN (ALL FLOW FROM WELL STOPPED) FOR AT LEAST ONE (1) HOUR. SUBMIT THE RECORDS BY NOVEMBER 30TH OF EACH YEAR AND/OR UPON REQUEST TO THE WATER RESOURCES REGIONAL OFFICE AT PO BOX 860, KALISPELL, MT 59903-0860.

OBJECTION INFORMATION

OBJECTION LOG # 95-089

POSSIBLE COMPLAINT RECEIVED

IF AT ANY TIME AFTER THIS RIGHT IS ISSUED, A WRITTEN COMPLAINT IS RECEIVED BY THE DEPARTMENT ALLEGING THAT DIVERTING 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.