

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: 76H 53960-00 PROVISIONAL PERMIT
Version: 2 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

Owners: COX, ELLIE A & VIOLET TRUST
7047 FOX LN
DARBY, MT 59829

DAVID D GRAHAM
PO BOX 951
DARBY, MT 59829

CLIFTON J REED
656 WILLOW CREEK RD
CORVALLIS, MT 59828

TERRY L REED
656 WILLOW CREEK RD
CORVALLIS, MT 59828-9216

Priority Date: OCTOBER 28, 1983 at 12:05 P.M.

Enforceable Priority Date: OCTOBER 28, 1983 at 12:05 P.M.

Purpose (use): POWER GENERATION
FISHERY

Maximum Flow Rate: 1,200.00 GPM

Maximum Volume: 646.90 AC-FT

Source Name: NELSON CREEK

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		SWSWNW	26	1N	22W	RAVALLI

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Reservoir: OFF STREAM **Reservoir Name** POND NO. 2

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2SW	25	1N	22W	RAVALLI

Depth: 10.00 FEET
Surface Area: 0.34 ACRES
Current Capacity: 1.36 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** POND NO. 3

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2SW	25	1N	22W	RAVALLI

Depth: 10.00 FEET
Surface Area: 0.34 ACRES
Current Capacity: 1.36 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** POND NO. 4

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2SW	25	1N	22W	RAVALLI

Depth: 10.00 FEET
Surface Area: 0.34 ACRES
Current Capacity: 1.36 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** POND NO. 1

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2SW	25	1N	22W	RAVALLI

Depth: 10.00 FEET
Surface Area: 0.34 ACRES
Current Capacity: 1.36 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** POND NO. 5

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2SW	25	1N	22W	RAVALLI

Depth: 15.00 FEET
Surface Area: 0.40 ACRES
Current Capacity: 9.00 ACRE-FEET

Purpose (Use): POWER GENERATION
Volume: 646.90 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			SENWSW	25	1N	22W	RAVALLI

Purpose (Use): FISHERY
Volume: 322.60 AC-FT
Period of Use: JANUARY 1 to DECEMBER 31

Purpose Clarification: FISH PONDS

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			W2SW	25	1N	22W	RAVALLI

Geocodes/Valid: 13-0968-25-1-01-16-0000 - Y 13-0968-25-3-01-01-0000 - Y
13-0968-25-3-01-07-0000 - Y 13-0968-25-3-01-09-0000 - Y

Remarks:

IMPORTANT INFORMATION

THIS AUTHORIZATION IS SUBJECT TO THE CONDITION THAT THE DAMS SHALL BE CONSTRUCTED TO NATURAL RESOURCE AND CONSERVATION SERVICE, USDA STANDARDS. EACH DAM SHALL INCORPORATE AN ADEQUATELY DESIGNED EMERGENCY SPILLWAY AND DRAINAGE DEVICE.

WATER MEASUREMENT INFORMATION

THIS AUTHORIZATION IS SUBJECT TO THE CONDITION THAT THE APPROPRIATOR SHALL INSTALL TWO ADEQUATE FLOW METERING DEVICES AS DESCRIBED BELOW TO MONITOR THE WATERS DIVERTED THROUGH THIS SYSTEM. A MEASURING DEVICE MUST BE INSTALLED TO MEASURE THE WATERS DIVERTED FROM THE ROSS A DITCH INTO THE UPPER MOST POND AND A MEASURING DEVICE IN THE DITCH BELOW THE LOWEST POND IN THE DRAINAGE BUT ABOVE THE POND CONSTRUCTED IN 1969 (POND NO. 5).

WATER MEASUREMENT INFORMATION

IF AT ANY TIME AFTER THIS AUTHORIZATION IS ISSUED, THE DEPARTMENT RECEIVES WRITTEN COMPLAINTS ALLEGING THAT DIVERTING FROM THIS SOURCE IS RESULTING IN ADVERSE IMPACTS TO EXISTING WATER RIGHTS, THE DEPARTMENT MAY MAKE A FIELD INVESTIGATION OF THE PROJECT. THE APPROPRIATOR MAY AT THIS TIME BE REQUIRED TO KEEP A WRITTEN RECORD OF THE FLOW RATE AND VOLUME OF ALL WATERS DIVERTED, INCLUDING THE PERIOD OF TIME AND SHALL SUBMIT SAID RECORDS BY NOVEMBER 30TH AND/OR UPON REQUEST TO THE WATER RESOURCES REGIONAL OFFICE, 1610 S. 3RD ST. W. SUITE 103, TOWN & COUNTRY SHOPPING CENTER, P.O. BOX 5004, MISSOULA, MT 59806-5004 PH: (406) 721-4284.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 4328 RECEIVED 08/30/2002.
OWNERSHIP UPDATE TYPE 608 # 14091 RECEIVED 05/06/2004.
OWNERSHIP UPDATE TYPE 608 # 17762 RECEIVED 11/04/2004.