

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: 40F 62876-00 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: USA (DEPT OF INTERIOR BUREAU OF RECLAMATION)
PO BOX 30137
BILLINGS, MT 59107-0137

Priority Date: APRIL 20, 1988 at 02:00 P.M.

Enforceable Priority Date: APRIL 20, 1988 at 02:00 P.M.

Purpose (use): STOCK
WILDLIFE/WATERFOWL

Maximum Flow Rate:

Maximum Volume: 340.00 AC-FT

Source Name: UNNAMED TRIBUTARY OF MILK RIVER

Source Type: SURFACE WATER

Source Name: CHAIN OF LAKES COULEE

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		NW	2	34N	12E	HILL

Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: CHAIN OF LAKES COULEE

Diversion Means: DIKE

2		NWSESE	34	35N	12E	HILL
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Source Name: UNNAMED TRIBUTARY OF MILK RIVER

Diversion Means: DIKE
AND DITCH

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NW	2	34N	12E	HILL

Dam Height: 7.00 FEET

Surface Area: 127.00 ACRES

Current Capacity: 340.00 ACRE-FEET

Purpose (Use): STOCK

Volume: 340.00 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			W2	2	34N	12E	HILL
2			E2E2E2	3	34N	12E	HILL
3			E2SESE	34	35N	12E	HILL
4			SWSWSW	35	35N	12E	HILL

Purpose (Use): WILDLIFE/WATERFOWL

Volume:

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			W2	2	34N	12E	HILL
2			E2E2E2	3	34N	12E	HILL
3			E2SESE	34	35N	12E	HILL
4			SWSWSW	35	35N	12E	HILL

Place of Use:

ID Acres Govt Lot Qtr Sec Sec Twp Rge County

Remarks:

IMPORTANT INFORMATION

AN AGREEMENT BETWEEN THE DEPARTMENT OF FISH, WILDLIFE AND PARKS (DFWP) AND THE BUREAU OF RECLAMATION (BOR) PROVIDES THAT DFWP WILL CONTACT BOR AT THE START OF EACH IRRIGATION SEASON TO DETERMINE WATER AVAILABILITY.

UPPER MILK RIVER CONDITION

1) THE WATERS APPROPRIATED PURSUANT TO THIS PERMIT SHALL ONLY BE DIVERTED WHEN: A.) BUREAU OF RECLAMATION (BOR) IS SPILLING AT FRESNO DAM; B.) FRESNO DAM IS NOT SPILLING BUT THE BOR, DUE TO INTERVENING NATURAL CAUSES, CANNOT REASONABLY MAKE HISTORIC BENEFICIAL USE OF FLOWS PROPOSED TO BE STORED OR USED BY THE APPROPRIATOR; C.) DURING ALL OTHER PERIODS, THE APPROPRIATOR SHALL ALLOW THE NORMAL FLOW TO PASS HIS DIVERSION TO SATISFY PRIOR EXISTING WATER RIGHTS. 2) THE APPROPRIATOR SHALL CONTACT THE U.S. BUREAU OF RECLAMATION AT BILLINGS (MONTANA AREA OFFICE - MT 450, PO BOX 30137, BILLINGS, MT, 59107-0137) AT THE START OF EACH IRRIGATION SEASON TO DETERMINE CURRENT WATER SUPPLY CONDITIONS AND THE AVAILABILITY OF WATER FOR HIS USE. THIS CONTACT SHALL BE MADE BY CERTIFIED MAIL THROUGH THE U.S. POSTAL SERVICE WITH RETURN RECEIPT REQUESTED. 3) THESE CONDITIONS MAY BE MODIFIED BY THE DEPARTMENT UPON RECEIPT OF FURTHER EVIDENCE OR DETERMINATION BY THE DEPARTMENT PERTAINING TO THE WATER RIGHTS OF THE U.S. GOVERNMENT.