

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: 40A 115059-00 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: BALLARD RANCH INC
PO BOX 73
LAVINA, MT 59046-0073

Priority Date: FEBRUARY 22, 2001 at 01:45 P.M.

Enforceable Priority Date: FEBRUARY 22, 2001 at 01:45 P.M.

Purpose (use): IRRIGATION

Maximum Flow Rate: 5.46 CFS

Maximum Volume: 69.30 AC-FT

Maximum Acres: 138.60

Source Name: MUSSELSHELL RIVER

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		SWNWNW	8	6N	23E	GOLDEN VALLEY
Period of Diversion: MARCH 15 TO JUNE 30						
Diversion Means: PUMP						
2		SENWNW	8	6N	23E	GOLDEN VALLEY
Period of Diversion: MARCH 15 TO JUNE 30						
Diversion Means: PUMP						
3		NWNESW	9	6N	23E	GOLDEN VALLEY
Period of Diversion: MARCH 15 TO JUNE 30						
Diversion Means: PUMP						
4		SWSENE	9	6N	23E	GOLDEN VALLEY
Period of Diversion: MARCH 15 TO JUNE 30						
Diversion Means: PUMP						

Purpose (Use): IRRIGATION
Irrigation Type: FLOOD
Volume: 69.30 AC-FT
Period of Use: MARCH 15 to JUNE 30

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	0.70		NWNWSE	8	6N	23E	GOLDEN VALLEY
2	67.40		NW	8	6N	23E	GOLDEN VALLEY
3	21.10		S2NE	9	6N	23E	GOLDEN VALLEY
4	7.10		SESENE	9	6N	23E	GOLDEN VALLEY
5	17.60		N2N2SE	9	6N	23E	GOLDEN VALLEY
6	13.20		NESW	9	6N	23E	GOLDEN VALLEY
7	11.00		N2N2SW	8	6N	23E	GOLDEN VALLEY
8	0.50		NENWSW	9	6N	23E	GOLDEN VALLEY
Total:	138.60						

Geocodes/Valid: 53-1517-08-3-01-01-0001 - Y 53-1517-09-4-01-01-0000 - Y

Remarks:

Remarks:

IMPORTANT INFORMATION

THE APPROPRIATOR SHALL DIVERT WATER DURING THE PERIOD OF APPROPRIATION ONLY WHEN FLOW RATES AT USGS GAUGING STATIONS NO.06126050 (MUSSELSHELL RIVER NEAR LAVINA) AND NO.06126500 (MUSSELSHELL RIVER NEAR ROUNDUP) BOTH INDICATE FLOWS IN EXCESS OF 80 CUBIC FEET PER SECOND. THESE FLOWS MUST BE CHECKED DAILY WHEN APPROPRIATING WATER. THE CURRENT INTERNET ADDRESS IS: mt.waterdata.usgs.gov/nwis/current?type=flow

IMPORTANT INFORMATION

THIS LAND HAS PREVIOUSLY BEEN IRRIGATED USING CONTRACT WATER FROM DEADMANS BASIN RESERVOIR.

MUSSELSHELL RIVER BASIN REQUIREMENTS

THE APPROPRIATOR SHALL CEASE EXERCISING THIS RIGHT WHEN THE FLOW IN THE MUSSELSHELL RIVER IS LESS THAN WHAT CAN BE BENEFICIALLY USED BY THE DELPHIA-MELSTONE PROJECT AND WATER IS RELEASED FROM DEADMAN'S BASIN TO SATISFY THE DELPHIA-MELSTONE DEMAND AND/OR THE DEMAND BY ANY OTHER EXISTING WATER RIGHT.

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 DAILY 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. LEWISTOWN - PH: 406-538-7459 FAX: 406-538-7089