

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: 42C 21871-00 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620-1601

Priority Date: FEBRUARY 9, 1979 at 01:30 P.M.

Enforceable Priority Date: FEBRUARY 9, 1979 at 01:30 P.M.

Purpose (use): IRRIGATION
Maximum Flow Rate: 2,200.00 GPM
Maximum Volume: 725.00 AC-FT

Maximum Acres: 289.00

Source Name: TONGUE 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	5	SWSW	21	4N	47E	CUSTER

Period of Diversion: MAY 1 TO NOVEMBER 15
Diversion Means: PUMP

Purpose (Use): IRRIGATION
Irrigation Type: SPRINKLER
Volume: 725.00 AC-FT
Period of Use: MAY 1 to NOVEMBER 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	3.00		E2SENE	20	4N	47E	CUSTER
2	4.00		E2NESE	20	4N	47E	CUSTER
3	32.00		W2NE	21	4N	47E	CUSTER
4	100.00		NW	21	4N	47E	CUSTER
5	111.00		SW	21	4N	47E	CUSTER
6	39.00		W2SE	21	4N	47E	CUSTER
Total:	289.00						

Remarks:

Remarks:

OWNERSHIP UPDATE RECEIVED

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/06/91.

OWNERSHIP UPDATE RECEIVED

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/07/95.

YELLOWSTONE RESERVATIONS-MILES CITY

** YELLOWSTONE RESERVATION -- MILES CITY: (1) THIS PERMIT IS SUBJECT TO THE YELLOWSTONE RIVER BASIN WATER RESERVATIONS GRANTED BY THE BOARD OF NATURAL RESOURCES AND CONSERVATION ON DECEMBER 15, 1978 AND AS AMENDED BY BOARD ORDER ON NOVEMBER 21, 1980. (2) THE PERMITTEE ACKNOWLEDGES THAT THE APPLICATION FOR BENEFICIAL WATER USE PERMIT HAS BEEN SUBMITTED FOR LANDS WHICH ARE OR COULD BE PART OF THE WATER RESERVATION GRANTED FOR A COUNTY CONSERVATION DISTRICT IN THE YELLOWSTONE BASIN. THEREFORE, IF THE WATER BECOMES PART OF A BOARD OF NATURAL RESOURCES AND CONSERVATION APPROVED CONSERVATION DISTRICT RESERVATION PROJECT PLAN, THE PERMIT TERMINATES WHEN THE USE OF WATER APPROPRIATED IS APPROVED BY A CONSERVATION DISTRICT AND IS MADE A PART OF ITS WATER RESERVATION. (3) THE WATERS APPROPRIATED PURSUANT TO THIS PERMIT SHALL ONLY BE DIVERTED WHEN THE FLOW OF THE YELLOWSTONE RIVER EXCEEDS THE WATER RESERVATIONS THAT ARE BEING PUT TO BENEFICIAL USE. CURRENTLY THE INSTREAM FLOW RESERVATION AT THE USGS GAUGE AT MILES CITY IS LISTED BELOW. AS THE DOWNSTREAM CONSERVATION DISTRICTS AND MUNICIPALITIES BEGIN TO DEVELOP THEIR WATER RESERVATIONS, THE AMOUNT OF WATER NEEDED TO PASS THE USGS GAUGE TO SATISFY ALL WATER RESERVATIONS WILL INCREASE. (4) THE PERMITTEE SHALL CEASE DIVERTING WATER PURSUANT TO THIS PERMIT IN ANY YEAR, OR PORTIONS THEREOF, WHEN THE FLOW OF THE YELLOWSTONE RIVER IS LESS THAN THE GRANTED INSTREAM FLOW RESERVATION OF THE MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS (MDFWP). THE PERMITTEE AGREES TO CEASE HIS JUNIOR DIVERSION IMMEDIATELY UPON VERBAL OR WRITTEN NOTIFICATION BY AN AUTHORIZED REPRESENTATIVE OF THE MDFWP. MONTHLY BREAKDOWN ACRE-FEET CUBIC FEET/SECOND JANUARY 235400 3829 FEBRUARY 221995 3998 MARCH 390929 6359 APRIL 347957 5848 MAY 754904 12280 JUNE 1557980 26188 JULY 631856 10278 AUGUST 237415 3862 SEPTEMBER 266682 4338 OCTOBER 359578 5849 NOVEMBER 327730 5508 DECEMBER 246466 4009 NOTICE: IT IS THE RESPONSIBILITY OF THE PERMITTEE TO DETERMINE WHEN THE STREAM FLOW IS IN EXCESS OF THE FLOWS AT THE USGS GAUGE STATION NEEDED TO SATISFY RESERVED WATERS BEING USED. STREAM FLOW INFORMATION MAY BE OBTAINED BY CALLING THE WATER RESOURCES REGIONAL OFFICE IN MILES CITY AT (406) 232-6359.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 45846 RECEIVED 04/10/2007.