

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: 43D 25988-00 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
JULIE O KERTZMAN
54 CAPILANO DRIVE
NOVATO, CA 94949

MITCHELL E KERTZMAN
54 CAPILANO DRIVE
NOVATO, CA 94949

Priority Date: JANUARY 3, 1980 at 11:51 A.M.
Enforceable Priority Date: JANUARY 3, 1980 at 11:51 A.M.

Purpose (use): IRRIGATION
STOCK

Maximum Flow Rate: 448.80 GPM

Maximum Volume: 357.00 AC-FT

Maximum Acres: 55.00

Source Name: WOODS GULCH 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		NWNWNE	30	8S	20E	CARBON

Period of Diversion: APRIL 1 TO SEPTEMBER 30
Diversion Means: OTHER DIVERSION
Ditch Name: WOODS GULCH DITCH
DIVERSION DAM

Purpose (Use): IRRIGATION
Volume: 356.75 AC-FT
Period of Use: APRIL 1 to SEPTEMBER 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	35.00		SWSE	19	8S	20E	CARBON
2	20.00		NWNE	30	8S	20E	CARBON
Total:	55.00						

Purpose (Use): STOCK
Volume: 0.25 AC-FT
Period of Use: MAY 15 to SEPTEMBER 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			NWNE	30	8S	20E	CARBON
2			SWSE	19	8S	20E	CARBON

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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WATER MEASUREMENT - DECREED STREAM - MEASURING DEVICE REQUIRED

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO MEASURE AND DISTRIBUTE WATER. THE APPROPRIATOR SHALL PAY HIS/HER SHARE OF THE FEES, COMPENSATION AND EXPENSES INCURRED IN THE DISTRIBUTION OF THE WATERS. THE FEE WILL BE SET BY DISTRICT COURT. THE APPROPRIATOR SHALL INSTALL A WATER USE MEASURING DEVICE APPROVED BY THE REGIONAL MANAGER AT A POINT DESIGNATED BY THE REGIONAL OFFICE TO RECORD THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED. 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 SHALL KEEP A WRITTEN RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF OPERATION AND SHALL SUBMIT THE RECORDS UPON REQUEST. THE REGIONAL MANAGER MAY ALSO REQUEST MEASUREMENT RECORDS AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OR MODIFICATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE LISTED BELOW. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE ACCURATELY. BILLINGS, MT PH: 406-657-2015 FAX: 406-245-2064

OWNERSHIP UPDATE RECEIVED

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/15/98.

WATER MEASUREMENT INFORMATION REQUIRED ONLY UPON REQUEST

AS OF 02/28/00, WATER MEASUREMENT RECORDS ARE DUE ONLY UPON REQUEST FROM THE DEPARTMENT.