

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: 40R 59660-00 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: DARVIS RANCH INC
121 N MAIN ST
PLENTYWOOD, MT 59254

Priority Date: NOVEMBER 4, 1985 at 10:38 A.M.

Enforceable Priority Date: NOVEMBER 4, 1985 at 10:38 A.M.

Purpose (use): IRRIGATION
Maximum Flow Rate: 9,000.00 GPM
Maximum Volume: 600.00 AC-FT
Maximum Acres: 215.80

Source Name: BIG MUDDY 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		NESWSW	29	35N	55E	SHERIDAN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: PUMP
Pump Size: 139.00 HP

2		SESENE	30	35N	55E	SHERIDAN
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: PUMP
Pump Size: 139.00 HP

3		SESWNW	29	35N	55E	SHERIDAN
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Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: PUMP
Pump Size: 139.00 HP

Purpose (Use): IRRIGATION
Volume: 600.00 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	33.70		W2W2	29	35N	55E	SHERIDAN
2	61.20		SE	29	35N	55E	SHERIDAN
3	104.80		N2	30	35N	55E	SHERIDAN
4	16.10		SWSE	19	35N	55E	SHERIDAN
Total:	215.80						

Geocodes/Valid: 34-4804-19-3-01-01-0000 - Y 34-4804-29-1-03-01-0000 - Y
34-4804-29-2-03-01-0000 - Y 34-4804-30-1-01-01-0000 - Y

Remarks:

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FORT PECK-MONTANA COMPACT

THIS RIGHT IS SUBJECT TO ALL EXISTING RIGHTS INCLUDING THE RESERVED WATER RIGHTS OF THE ASSINIBOINE AND SIOUX TRIBES AS DETERMINED IN THE FORT PECK-MONTANA COMPACT DATED MAY 15, 1985.

IMPORTANT INFORMATION

THE PERMITTEE SHALL NOT DIVERT WATER UNTIL MEDICINE LAKE IS AT OPERATIONAL LEVEL OR PREDICTED RUN-OFF IS SUFFICIENT TO BRING MEDICINE LAKE TO OPERATIONAL LEVEL. THE PERMITTEE SHALL CONTACT THE MEDICINE LAKE REFUGE MANAGER TO DETERMINE THE AVAILABILITY OF WATER FOR HIS USE PRIOR TO DIVERTING WATER UNDER THIS PERMIT. THIS CONTACT SHALL BE MADE BY CERTIFIED MAIL THROUGH THE US POSTAL SERVICE WITH RETURN RECEIPT REQUESTED.

POSSIBLE COMPLAINT RECEIVED

IF AT ANY TIME AFTER THIS RIGHT IS ISSUED, A WRITTEN COMPLAINT IS RECEIVED BY THE DEPARTMENT ALLEGING THAT DIVERTING FROM THIS SOURCE IS ADVERSELY AFFECTING A PRIOR WATER RIGHT, THE DEPARTMENT MAY MAKE A FIELD INVESTIGATION OF THE PROJECT. IF DURING THE FIELD INVESTIGATION THE DEPARTMENT FINDS SUFFICIENT EVIDENCE SUPPORTING THE ALLEGATION, IT MAY CONDUCT A HEARING IN THE MATTER ALLOWING THE APPROPRIATOR TO SHOW CAUSE WHY THE RIGHT SHOULD NOT BE MODIFIED OR REVOKED. THE DEPARTMENT MAY THEN MODIFY OR REVOKE THIS RIGHT TO PROTECT EXISTING RIGHTS OR LEAVE THIS RIGHT UNCHANGED IF THE HEARING OFFICER DETERMINES NO EXISTING WATER RIGHTS ARE BEING ADVERSELY AFFECTED.