

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: 41P 30005224 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: RIVERVIEW COLONY INC
1145 DUGOUT RD
CHESTER, MT 59522-0238

Priority Date: FEBRUARY 14, 2003 at 11:30 A.M.

Enforceable Priority Date: FEBRUARY 14, 2003 at 11:30 A.M.

Purpose (use): IRRIGATION

Maximum Flow Rate: 200.00 GPM

Maximum Volume: 243.00 AC-FT

Maximum Acres: 262.00

Source Name: MARIAS 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		SWSWSW	17	29N	6E	LIBERTY

Period of Diversion: MARCH 1 TO NOVEMBER 30

Diversion Means: PUMP

Pump Size: 150.00 HP

Reservoir: OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWSW	18	28N	6E	LIBERTY

Depth: 12.00 FEET

Surface Area: 5.60 ACRES

Current Capacity: 33.60 ACRE-FEET

Original Capacity: 10.70 ACRE-FEET

Reservoir: OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESWSE	13	28N	5E	LIBERTY

Depth: 12.00 FEET

Surface Area: 5.10 ACRES

Current Capacity: 30.60 ACRE-FEET

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER

Climatic Area: 3 - MODERATE

Volume: 243.00 AC-FT

Period of Use: APRIL 1 to OCTOBER 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	123.00		NW	13	28N	5E	LIBERTY
2	68.00		NE	13	28N	5E	LIBERTY
3	23.00		NWSE	13	28N	5E	LIBERTY
4	48.00		N2SW	13	28N	5E	LIBERTY
Total:	262.00						

Geocodes/Valid: 48-3994-13-4-03-02-0000 - Y

Remarks:

Remarks:

ASSOCIATED RIGHT

GROUNDWATER CERTIFICATE 41P-25685-00, PERMIT 41P-62863-00, PERMIT 41P-68593-00 AND PERMIT 41P-30005224 ARE ASSOCIATED. THEY USE THE SAME 8 ACRE-FOOT EXISTING RESERVOIR LOCATED IN SEC. 24, T28N R5E, FOR STORAGE OR CONVEYANCE.

ASSOCIATED RIGHT

PERMIT 41P-68593-00, STATEMENT OF CLAIM 41P-41032-00 AND PERMIT 41P-30005224 ARE ASSOCIATED. THEY USE THE SAME 10.7 ACRE-FOOT EXISTING RESERVOIR LOCATED IN SEC. 18, T28N R6E, FOR STORAGE OR CONVEYANCE. PERMIT 41P-30005224 WILL ENLARGE THE 10.7 ACRE-FOOT RESERVOIR TO 33.6 ACRE-FOOT.

ASSOCIATED RIGHT

PERMIT 41P-62863-00, PERMIT 41P-68593-00 AND PERMIT 41P-30005224 ARE ASSOCIATED. THEY SHARE THE SAME POINT OF DIVERSION AND MEANS OF CONVEYANCE. PERMIT 41P-30005224 INCREASES THE FLOW RATE FROM THIS DIVERSION TO 300 GPM.

ASSOCIATED RIGHT

PERMIT 41P-68593-00, STATEMENT OF CLAIM 41P-41021-00, PERMIT 41P-39529-00 AND PERMIT 41P-30005224 ARE ASSOCIATED. THEY USE THE SAME 40.6 ACRE-FOOT EXISTING RESERVOIR LOCATED IN SEC. 18, T28N R6E, FOR STORAGE OR CONVEYANCE.

IMPORTANT INFORMATION

WATER IS DIVERTED INTO AN EXISTING 8 AC-FT RESERVOIR, THEN INTO A NEW 30.6 AC-FT RESERVOIR, THEN INTO AN ENLARGED 33.6 AC-FT RESERVOIR, THEN INTO AN EXISTING 40.6 AC-FT RESERVOIR. THE NEW RESERVOIR AND THE ENLARGED RESERVOIR WILL BE USED AS STORAGE AND PUMP STATIONS FOR THE NEW PIVOT IRRIGATION SYSTEM UNDER PERMIT 41P-30005224. THE EXISTING 8 AC-FT RESERVOIR AND THE EXISTING 40.6 AC-FT RESERVOIR ARE USED AS PART OF THE CONVEYANCE SYSTEM.

IMPORTANT INFORMATION

THE APPROPRIATOR MAY DIVERT ONLY THE EXCESS FLOW ABOVE THE FOLLOWING USGS GAGE FLOWS AT GAGE NUMBER 06101500 ON THE MARIAS RIVER NEAR CHESTER, MT: MARCH, 488.95 CFS; APRIL, 524.95 CFS; MAY, 562.74 CFS; JUNE, 582.74 CFS; JULY, 612.74 CFS; AUGUST, 592.74 CFS; SEPTEMBER, 562.74 CFS; OCTOBER, 488.95 CFS; NOVEMBER, 488.95 CFS; UNTIL SUCH TIME AS A FLOW GAGE IS INSTALLED AT THE MOUTH OF THE MARIAS RIVER. THEREAFTER, APPROPRIATOR MAY DIVERT WHEN SUCH GAGE FLOWS AT THE MOUTH EXCEED 488.5 CFS.

IMPORTANT INFORMATION

WHEN THE CONSERVATION DISTRICTS PERFECT ANY OR ALL OF THEIR MARIAS RIVER STATE RESERVATION BELOW TIBER DAM, APPROPRIATOR MUST INCREASE THE CUT-OFF FLOWS IN CONDITION 2 ABOVE BY THE AMOUNT PERFECTED. PERFECTED MEANS THE HIGHEST DAILY MEASUREMENT RECORDED BY THE RESERVANT AS REQUIRED BY THE RESERVATION ORDER (SEE MISSOURI RIVER BASIN FINAL ORDER ESTABLISHING WATER RESERVATIONS ABOVE FORT PECK DAM AT 361 (1992) (MONTANA BOARD OF NATURAL RESOURCES AND CONSERVATION)).

WATER MEASUREMENT INFORMATION

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT A POINT APPROVED BY THE DEPARTMENT THAT WILL MEASURE ALL WATERS 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 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 30TH 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 HAVRE WATER RESOURCES DIVISION REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.