

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:** 43C 30021223 PROVISIONAL PERMIT

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** KUMMERLE, KEITH K EXEMPT TRUST  
BROOKS, KYLE C TRUSTEE  
6890 MARBLEHEAD RD  
CINCINNATI, OH 45243

KMMERLE, TINA M EXEMPT TRUST  
BROOKS, KYLE C TRUSTEE  
6890 MARBLEHEAD RD  
CINCINNATI, OH 45243

**Priority Date:** APRIL 10, 2006 at 10:00 A.M.

**Enforceable Priority Date:** APRIL 10, 2006 at 10:00 A.M.

**Purpose (use):** FIRE PROTECTION

**Maximum Flow Rate:**

**Maximum Volume:** 0.80 AC-FT

**Source Name:** UNNAMED TRIBUTARY OF FIDDLER CREEK, EAST FORK

**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		NESWSE	5	6S	17E	STILLWATER

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWSE	5	6S	17E	STILLWATER

**Surface Area:** 0.17 ACRES

**Current Capacity:** 0.50 ACRE-FEET

**Purpose (Use):** FIRE PROTECTION

**Volume:** 0.80 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			NESWSE	5	6S	17E	STILLWATER

**Geocodes/Valid:** 32-0442-05-4-01-01-0000 - Y

**Remarks:**

**CROW-MONTANA COMPACT**

THIS RIGHT IS SUBJECT TO ALL EXISTING RIGHTS INCLUDING THE RESERVED WATER RIGHTS OF THE CROW TRIBE AS DETERMINED IN THE CROW TRIBE-MONTANA COMPACT DATED JUNE 22, 1999. IT IS THE TRIBE'S POSITION THAT THE EXERCISE OF JUNIOR WATER RIGHTS EITHER WITHIN OR OUTSIDE OF THE EXTERIOR BOUNDARIES OF THE CROW INDIAN RESERVATION MAY ADVERSELY AFFECT THE RESERVED WATER RIGHTS OF THE TRIBE WITHIN THE EXTERIOR BOUNDARIES OF THE RESERVATION.

**WATER MEASUREMENT- FUTURE MEASURING DEVICE REQUIREMENT**

ANYTIME AFTER THIS RIGHT IS ISSUED AND COMPETITION FOR WATER ON THE SOURCE BECOMES AN ISSUE, THE DEPARTMENT MAY REQUIRE THE APPROPRIATOR TO INSTALL A WATER USE MEASURING DEVICE AND SUBMIT THE RECORDS OF THE FLOW RATE OR VOLUME OR BOTH OF ALL WATER DIVERTED.

**YELLOWSTONE RESERVATIONS**

THIS RIGHT IS SUBJECT TO THE PREFERRED USE OF THOSE CERTAIN YELLOWSTONE RIVER BASIN RESERVATIONS GRANTED BY THE BOARD OF NATURAL RESOURCES AND CONSERVATION ON DECEMBER 15, 1978 AND AS AMENDED BY BOARD ORDER ON NOVEMBER 21, 1980.

**Remarks:**

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 98097 RECEIVED 03/22/2012.