

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:** 41H 30021840 PROVISIONAL PERMIT  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** MANHATTAN, TOWN OF  
PO BOX 96  
MANHATTAN, MT 59741-0096

**Priority Date:** APRIL 25, 2006 at 04:34 P.M.  
**Enforceable Priority Date:** APRIL 25, 2006 at 04:34 P.M.

**Purpose (use):** MUNICIPAL  
**Maximum Flow Rate:** 575.00 GPM  
**Maximum Volume:** 256.11 AC-FT

**Source Name:** GROUNDWATER  
**Source Type:** GROUNDWATER

**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		NENWSW	3	1N	3E	GALLATIN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** WELL  
**Well Depth:** 442.00 FEET  
**Static Water Level:** 31.80 FEET  
**Casing Diameter:** 16.00 INCHES  
**Pump Size:** 100.00 HP

2		SESENW	3	1N	3E	GALLATIN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** WELL

**Purpose (Use):** MUNICIPAL  
**Volume:** 256.11 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				3	1N	3E	GALLATIN
2				2	1N	3E	GALLATIN
3				10	1N	3E	GALLATIN
4				11	1N	3E	GALLATIN

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**Remarks:**

**Remarks:**

**IMPORTANT INFORMATION**

PERMITTEE SHALL INSTALL AN IN-LINE FLOW METER, WHICH MEASURES INSTANTANEOUS AND CUMULATIVE FLOWS, AT THE PUMP-HOUSE FOR EACH OF THE TWO CORRESPONDING WELLS. APPLICANT SHALL INSTALL A TOTALIZING FLOW METER THAT WILL MEASURE BOTH FLOW RATE AND TOTAL ANNUAL VOLUME. APPLICANT SHALL MAINTAIN THE MEASURING DEVICES IN PROPER OPERATING CONDITION AT ALL TIMES. WATER MAY NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICES ARE IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPLICANT SHALL KEEP A WRITTEN RECORD OF DAILY, MONTHLY AND ANNUAL FLOW RATES AND VOLUMES MEASURED AT EACH MEASURING DEVICE. APPLICANT SHALL SUBMIT TO THE DEPARTMENT'S BOZEMAN REGIONAL OFFICE COMPLETE WATER MEASUREMENT RECORDS BY NOVEMBER 1 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES OF THE YEAR.

**IMPORTANT INFORMATION**

PERMITTEE SHALL NOT ALLOW MORE THAN 78.6 ACRES OF LAWN AND GARDEN TO BE IRRIGATED THROUGH WATER APPROPRIATED UNDER THIS PERMIT.

**IMPORTANT INFORMATION**

(CONDITION # 3) ALL WATER NOT CONSUMED BY THE PROPOSED USE SHALL BE TREATED AT THE WASTEWATER TREATMENT PLANT AND DISCHARGED INTO THE BACKLIN DITCH. PERMITTEE SHALL NOT CAUSE OR ALLOW ANY WASTEWATER DISCHARGED FROM ITS WASTEWATER TREATMENT PLANT INTO THE BACKLIN DITCH FROM ITS USE UNDER THIS PERMIT TO BE DIVERTED OR USED FOR ANY PURPOSE OTHER THAN RETURNS TO THE GALLATIN RIVER REQUIRED BY THIS FINAL ORDER. AT ALL TIMES, THE APPLICANT SHALL DISCHARGE OR CAUSE TO BE DISCHARGED AT A MINIMUM 95% OF WATER APPROPRIATED FOR DOMESTIC AND COMMERCIAL POTABLE USES UNDER THIS PERMIT INTO THE BACKLIN DITCH AS WASTEWATER DESCRIBED IN FOF 69 - 71 (DNRC FINAL ORDER DATED DECEMBER 8, 2009). AT FULL BUILD OUT, THE APPLICANT SHALL DISCHARGE OR CAUSE TO BE DISCHARGED 73.09 GPM FOR A TOTAL VOLUME OF 117.90 AC-FT/YR OF WASTEWATER INTO THE BACKLIN DITCH AS DESCRIBED IN FOF 69 - 71 (DNRC FINAL ORDER DATED DECEMBER 8, 2009). PERMITTEE SHALL OBTAIN DEPARTMENT APPROVAL FOR ANY CHANGE IN THE METHOD OF DISPOSAL OF NON-CONSUMED/WASTEWATER, INCLUDING ANY REDUCTION IN WATER TREATED AT THE WASTEWATER TREATMENT PLANT AND DISCHARGED INTO BACKLIN DITCH FROM OTHER SOURCES.

**IMPORTANT INFORMATION**

(CONDITION # 4) PERMITTEE SHALL DIVERT OR CAUSE TO BE DIVERTED 0.70 CFS OUT OF WATER RIGHT NO. 41H-119990-00, FOR A PERIOD OF 100 DAYS DURING THE PERIOD FROM MAY 15TH THROUGH SEPTEMBER 30TH, FOR A TOTAL ANNUAL DIVERSION OF 138.21 ACRE FEET, AND SHALL DISCHARGE SUCH AMOUNTS OF WATER INTO ITS INFILTRATION GALLERY IN THE MANNER DESCRIBED IN FOF 83 - 86 (DNRC FINAL ORDER DATED DECEMBER 8, 2009). PERMITTEE SHALL INSTALL A MEASURING DEVICE AT THE POINT OF DISCHARGE INTO THE INFILTRATION GALLERY TO RECORD THE FLOW RATES AND VOLUME OF ALL WATER DIVERTED INTO ITS INFILTRATION GALLERY. APPLICANT SHALL MAINTAIN THE MEASURING DEVICE IN PROPER OPERATING CONDITION AT ALL TIMES. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPLICANT SHALL KEEP A WRITTEN RECORD OF DAILY, MONTHLY AND ANNUAL FLOW RATES AND VOLUMES MEASURED AT THE MEASURING DEVICE. APPLICANT SHALL SUBMIT TO THE DEPARTMENT'S BOZEMAN REGIONAL OFFICE COMPLETE WATER MEASUREMENT RECORDS BY NOVEMBER 1 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES OF THE YEAR.

**IMPORTANT INFORMATION**

(CONDITION # 5) PERMITTEE SHALL CAUSE BAKER DITCH COMPANY TO FILE THE APPLICATION TO CHANGE THE PURPOSE OF USE OF WATER RIGHT NO. 41H-119990-00 FOR USE AS MITIGATION IN ITS INFILTRATION GALLERY. THE VOLUME AND FLOW RATE OF WATER AUTHORIZED BY THE DEPARTMENT FOR CHANGE FROM WATER RIGHT NO. 41H-119990-00 MUST BE EQUAL TO OR GREATER THAN 0.70 CFS FOR A PERIOD OF 100 DAYS DURING THE PERIOD FROM MAY 15TH THROUGH SEPTEMBER 30TH, FOR A TOTAL ANNUAL VOLUME OF 138.21 AC-FT. THE PERMITTEE SHALL RETIRE A MINIMUM OF 123.40 ACRES OF LAND HISTORICALLY IRRIGATED BY WATER RIGHT NO. 41H-119990-00.

**IMPORTANT INFORMATION**

PERMITTEE SHALL NOT DIVERT OR USE WATER UNDER THIS PERMIT UNTIL: THE CHANGE IN WATER RIGHT NO. 41H-119990-00 HAS BEEN GRANTED IN THE AMOUNTS REQUIRED UNDER THE PERMITTEE'S MITIGATION PLAN AS REQUIRED BY CONDITIONS 4 AND 5; WATER FROM THE CHANGE IN WATER RIGHT NO. 41H-119990-00 IS DIVERTED INTO ITS INFILTRATION GALLERY AS REQUIRED BY CONDITIONS 4 AND 5, AND; WASTEWATER RETURNS ARE PROVIDED AS REQUIRED BY CONDITION 3.

**IMPORTANT INFORMATION**

FOR PURPOSES OF ADMINISTRATION, THE APPLICANT'S PERMIT IS SUBJECT TO CALL BY EXISTING SENIOR RIGHTS, PERMITS AND CERTIFICATES. THERE IS NO EXCEPTION TO PRIORITY ADMINISTRATION BASED ON MUNICIPAL USE.

**IMPORTANT INFORMATION**

PERMITTEE SHALL NOT USE WATER WITHDRAWN FROM THE WELL OR WELLS THAT CONSTITUTE THE POINT(S) OF DIVERSION OUTSIDE THE PLACE OF USE OF THIS PERMIT WITHOUT FIRST OBTAINING THE NECESSARY CHANGE AUTHORIZATIONS OR ADDITIONAL PERMITS TO INCLUDE AN ELARGED SERVICE AREA SERVING THE TOWN OF MANHATTAN AND/OR TO INCLUDE ANY ADDITIONAL VOLUME

**Remarks:**

OF WATER.

**REISSUED RIGHT**

THE RIGHT ISSUED ON 09/21/2011 WAS REISSUED. THE RIGHT WAS REISSUED BECAUSE A PROJECT COMPLETION NOTICE DUE DATE WAS ADDED.