

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: 76M 30027375 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: WYE AREA WATER COMPANY LLC
8571 RUNNING W ROAD
MISSOULA, MT 59808

Priority Date: APRIL 4, 2007 at 03:00 P.M.

Enforceable Priority Date: APRIL 4, 2007 at 03:00 P.M.

Purpose (use): MUNICIPAL

Maximum Flow Rate: 681.00 GPM

Maximum Volume: 622.40 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		NWNWSW	22	14N	20W	MISSOULA

Period of Diversion:

Diversion Means: WELL

Well Depth: 406.00 FEET

Static Water Level: 205.15 FEET

Casing Diameter: 12.00 INCHES

Pump Size: 75.00 HP

2		NWNWSW	22	14N	20W	MISSOULA
---	--	--------	----	-----	-----	----------

Period of Diversion:

Diversion Means: WELL

Well Depth: 520.00 FEET

Static Water Level: 202.85 FEET

Casing Diameter: 12.00 INCHES

Pump Size: 75.00 HP

Purpose (Use): MUNICIPAL

Volume: 622.40 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			SW	16	14N	20W	MISSOULA
2			NE	20	14N	20W	MISSOULA
3			NE	21	14N	20W	MISSOULA
4			NW	21	14N	20W	MISSOULA
5			SE	21	14N	20W	MISSOULA
6			SW	21	14N	20W	MISSOULA
7			NW	22	14N	20W	MISSOULA
8			SE	22	14N	20W	MISSOULA
9			SW	22	14N	20W	MISSOULA
10			NW	27	14N	20W	MISSOULA
11			SW	27	14N	20W	MISSOULA
12			NE	28	14N	20W	MISSOULA
13			SE	28	14N	20W	MISSOULA

Remarks:

Remarks:

CLARK FORK RIVER BASIN LAW

THIS PROVISIONAL WATER USE PERMIT HAS A PRIORITY DATE THAT IS JUNIOR TO THE RIGHTS OF SENIOR WATER RIGHT HOLDERS IN THE CLARK FORK RIVER BASIN. IN ACCORDANCE WITH MONTANA LAW, YOU MAY BE SUBJECT TO A CALL BY SENIOR WATER RIGHT HOLDERS, IN WHICH CASE YOU MAY BE REQUIRED TO DISCONTINUE YOUR USE OF WATER FOR THE PERIOD OF THE CALL.

IMPORTANT INFORMATION

THIS PERMIT IS LIMITED TO 457 RESIDENTIAL CONNECTIONS, 72 COMMERCIAL CONNECTIONS AND 92.2 ACRES OF LAWN AND GARDEN IRRIGATION ON THE RESIDENTIAL AND COMMERCIAL LOTS.

IMPORTANT INFORMATION

IMPLEMENTATION OF MITIGATION PLAN REQUIRED:

THE APPROPRIATOR'S USE OF WATER UNDER THIS PERMIT IS CONDITIONED UPON MITIGATION TO OFFSET, OVER THE COURSE OF THE YEAR, THE 187.62 ACRE-FEET PER YEAR NET DEPLETION TO THE CLARK FORK RIVER AND BITTERROOT RIVER GENERALLY IN THE REACH OF THE CLARK FORK RIVER BEGINNING AT THE CONFLUENCE WITH THE BITTERROOT RIVER IN SECTION 5, T13N, R20W DOWNSTREAM TO A POINT IN THE CLARK FORK RIVER IN SECTION 36, T14N, R21W NEAR FRENCHTOWN; AND THE BITTERROOT RIVER AS THE 3.5 MILE REACH IMMEDIATELY UPSTREAM OF THE BITTERROOT RIVER'S CONFLUENCE WITH THE CLARK FORK RIVER. DIVERSION UNDER THIS PERMIT MAY NOT COMMENCE UNTIL THE MITIGATION AS SPECIFICALLY DESCRIBED IN THIS DECISION AND APPROVED THROUGH CHANGE AUTHORIZATION 76M 30042897 IS IMPLEMENTED, WITH THE FOLLOWING EXCEPTION: PROOF OF PROPER ABANDONMENT OF EXISTING WELLS FOR 76M 108703 REQUIRED. THIS CONDITION WILL BE IMPLEMENTED WITHIN THREE MONTHS OF THE NEW SOURCE OF WATER FOR THE SUBDIVISION BEING AVAILABLE THROUGH THIS PERMIT. DIVERSION UNDER THIS APPLICATION MUST STOP IF MITIGATION AS HEREIN REQUIRED IN AMOUNT, LOCATION AND DURATION CEASES.

WATER MEASUREMENT-INLINE FLOW METER REQUIRED

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER AT A POINT IN THE DELIVERY LINE APPROVED BY THE DEPARTMENT. 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 MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED, INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 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 WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

PROGRESS REPORT REQUIRED

THE APPROPRIATOR SHALL SUBMIT A PROGRESS REPORT OF THE WORK COMPLETED UNDER THIS RIGHT BY NOVEMBER 30TH OF EACH YEAR UNTIL COMPLETION OF THE PROJECT. THE REPORTS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE. THE REPORT SHALL INCLUDE INFORMATION ON: 1) THE NUMBER AND LOCATION OF RESIDENTIAL CONNECTIONS COMPLETED FOR THE YEAR AND IN TOTAL FOR THE PERMIT; 2) THE NUMBER AND LOCATION OF COMMERCIAL CONNECTIONS COMPLETED FOR THE YEAR AND IN TOTAL FOR THE RIGHT; AND 3) THE NUMBER OF ACRES AND LOCATION OF LAWN AND GARDEN IRRIGATION COMPLETED FOR THE YEAR AND IN TOTAL FOR THE RIGHT.