

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: 41Q 30026974 PROVISIONAL PERMIT
Version: 2 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

Owners: MONTANA PRAIRIE NEST II
527 PRAIRIE NEST RD
GREAT FALLS, MT 59405

Priority Date: MARCH 5, 2007 at 01:35 P.M.

Enforceable Priority Date: MARCH 5, 2007 at 01:35 P.M.

Purpose (use): IRRIGATION

Maximum Flow Rate: 350.00 GPM

Maximum Volume: 564.60 AC-FT

Maximum Acres: 2,234.00

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		SWNWSE	6	20N	6E	CASCADE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Flow Rate: 350.00 GPM

Diversion Means: WELL

Well Depth: 800.00 FEET

Static Water Level: 190.00 FEET

Casing Diameter: 8.00 INCHES

Pump Size: 60.00 HP

Reservoir: OFF STREAM **Reservoir Name** EAST FORK ROGERS COULEE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	E2	6	20N	6E	CASCADE

Depth: 56.25 FEET

Surface Area: 62.48 ACRES

Current Capacity: 1,405.80 ACRE-FEET

Purpose (Use): IRRIGATION **Purpose Clarification:** DRAIN-TILE IRRIGATION

Irrigation Type: CONTROLLED SUBIRRIGATION

Climatic Area: 2 - MODERATELY HIGH

Volume: 564.60 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	178.50			5	20N	6E	CASCADE
2	31.10		E2E2	6	20N	6E	CASCADE
3	12.60		NE	7	20N	6E	CASCADE
4	166.90		N2	8	20N	6E	CASCADE
5	206.20		S2	29	21N	6E	CASCADE
6	86.10		E2E2	31	21N	6E	CASCADE
7	639.40			32	21N	6E	CASCADE
8	95.20		S2	21	21N	6E	CASCADE
9	442.80			28	21N	6E	CASCADE
10	20.30		SE	30	21N	6E	CASCADE
11	354.90			33	21N	6E	CASCADE

Total: 2,234.00

Geocodes/Valid: 02-3018-05-4-04-01-0000 - Y 02-3018-06-1-02-01-0000 - Y
02-3018-07-1-01-01-0000 - Y 02-3018-08-2-01-01-0000 - Y
02-3142-29-4-03-01-0000 - Y 02-3142-31-1-01-01-0000 - Y
02-3142-32-1-01-01-0000 - Y

Remarks:

IMPORTANT INFORMATION

****WATER MEASUREMENT RECORDS REQUIRED**

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER IN THE DELIVERY LINE OF THE GROUNDWATER WELL ASSOCIATED TO THIS WATER RIGHT. THE LOCATION OF THE FLOW METER MUST BE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INTO THE RESERVOIR, INCLUDING THE PERIOD OF TIME.

FURTHER, THE APPLICANT SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER IN THE DELIVERY LINE OF THE PUMPING SYSTEM FROM THE RESERVOIR THAT CONVEYS WATER TO THE IRRIGATION SYSTEM. THE LOCATION OF THE FLOW METER MUST BE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED TO THE IRRIGATION SYSTEM UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE VOLUME OF ALL WATER DIVERTED FROM THE RESERVOIR AND INTO THE IRRIGATION SYSTEM, INCLUDING THE PERIOD OF TIME.

THE APPROPRIATOR SHALL KEEP RECORDS AND SUBMIT RECORDS BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT RECORDS MAY BE CAUSE FOR REVOCATION OF THE PERMIT. THE RECORDS MUST BE SENT TO THE LEWISTOWN WATER RESOURCES REGIONAL OFFICE BY NOVEMBER 30 OF EACH YEAR. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICES SO THEY ALWAYS OPERATE PROPERLY AND MEASURE THE FLOW RATE AND VOLUME OF WATER ACCURATELY.

SUBMIT RECORDS TO:
LEWISTOWN WATER RESOURCES OFFICE
613 NE MAIN ST, SUITE E
LEWISTOWN, MT
PHONE: 406-538-7459
FAX: 406-538-7012

IMPORTANT INFORMATION

****MITIGATION PLAN:**

PRIOR TO COMMENCING DIVERSIONS UNDER THIS PERMIT THE APPROPRIATOR SHALL MAKE PROVISION TO MITIGATE ADVERSE EFFECT TO SURFACE WATER RIGHTS BY REPLACING THE FULL VOLUME OF NET DEPLETION OF THE APPROPRIATION. THE APPROPRIATOR SHALL REPLACE AN EQUIVALENT AMOUNT OF WATER TO THE MAINSTEM OF THE MISSOURI RIVER IN THE FOLLOWING MANNER: THE APPROPRIATOR SHALL MITIGATE DEPLETIONS TO SURFACE WATER AND PROVIDE FOR LEGAL AVAILABILITY OF SURFACE WATER UNDER THIS PERMIT THROUGH THE PURCHASE OF A U.S. BUREAU OF RECLAMATION (BOR) WATER SERVICE CONTRACT FROM CANYON FERRY RESERVOIR. THE VOLUME OF WATER STATED ON THE CONTRACT MUST BE AT LEAST 112.9 ACRE-FEET PER YEAR. ACTUAL DELIVERIES OF WATER UNDER SUCH CONTRACT MUST BE COMMENCED THE CALENDAR YEAR AFTER DIVERSIONS UNDER THIS PERMIT COMMENCE. APPROPRIATOR'S CONTRACT WITH THE BOR MAY PROVIDE THAT IN THE CALENDAR YEARS SUBSEQUENT TO THE FIRST CALENDAR YEAR IN WHICH WATER IS TO BE PUT TO BENEFICIAL USE, THE CONTRACT VOLUME DELIVERED MAY BE EQUAL TO BUT NOT LESS THAN THE VOLUME OF WATER ACTUALLY DIVERTED BY THE APPROPRIATOR IN THE PREVIOUS CALENDAR YEAR. A DELIVERY SCHEDULE ALLOWED BY THE BOR AND WHICH RESULTS IN THE FULL REPLACEMENT OF THE PRIOR CALENDAR YEARS DIVERSION VOLUME DURING THE FOLLOWING CALENDAR YEAR SHALL BE DEEMED SUFFICIENT UNDER THIS PERMIT. APPLICANT SHALL SUBMIT TO THE DEPARTMENT'S LEWISTOWN REGIONAL OFFICE, WITH ITS WATER MEASUREMENT RECORDS ON NOVEMBER 30 OF EACH YEAR, PROOF OF THE WATER SERVICE CONTRACT WITH BOR AS DESCRIBED ABOVE. DIVERSION UNDER THIS PERMIT MAY NOT COMMENCE UNTIL A WATER SERVICE CONTRACT WITH THE BOR IS EXECUTED. DIVERSION UNDER THIS PERMIT MUST STOP IF ANY PART OF THE REQUIRED MITIGATION CEASES.

IMPORTANT INFORMATION

THIS PROVISIONAL PERMIT IS ASSOCIATED TO PROVISIONAL PERMIT NO. 41Q 30068688, THEY SHARE THE SAME WELL. WATER MAY BE APPROPRIATED FROM A COMBINATION OF THE TWO PERMITS AT A MAXIMUM FLOW RATE OF 420 GPM AND ANNUAL VOLUME OF UP TO 677.5 AF.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 128952 RECEIVED 06/01/2011.