

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: 43Q 30031212 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: STEVE KUHLMANN
3052 THOUSAND OAKS
BILLINGS, MT 59102

Priority Date: OCTOBER 1, 2008 at 10:00 A.M.
Enforceable Priority Date: OCTOBER 1, 2008 at 10:00 A.M.

Purpose (use): STOCK
Maximum Flow Rate: 20.00 GPM
Maximum Volume: 5.12 AC-FT

Source Name: YELLOWSTONE 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		SENE	11	1S	26E	YELLOWSTONE

Period of Diversion: MARCH 15 TO NOVEMBER 15 **Flow Rate:** 20.00 GPM
Diversion Means: PUMP

Purpose (Use): STOCK
Volume: 5.12 AC-FT
Period of Use: MARCH 15 to NOVEMBER 15

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			NWSESW	2	1S	26E	YELLOWSTONE
2			SWNESW	13	1S	26E	YELLOWSTONE
3			SWSWNW	18	1S	27E	YELLOWSTONE
4			SWSENE	19	1S	27E	YELLOWSTONE
5			NWSWNE	29	1S	27E	YELLOWSTONE
6			SWNWNW	29	1S	27E	YELLOWSTONE
7			SESENE	29	1S	27E	YELLOWSTONE
8			NWSWNW	29	1S	27E	YELLOWSTONE

Geocodes/Valid: 03-0927-12-3-01-01-0000 - Y 03-0927-13-1-01-01-0000 - Y
03-0928-18-2-01-01-0000 - Y 03-0928-19-3-01-01-0000 - Y
03-0928-29-2-09-01-0000 - Y 03-0928-29-3-01-01-0000 - Y

Remarks:

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.

IMPORTANT INFORMATION

THE APPLICANT SHALL NOT DIVERT WATER PURSUANT TO THIS PERMIT IN ANY YEAR, OR PORTIONS THEREOF, UNLESS THE FLOW OF THE YELLOWSTONE RIVER AT THE USGS GAUGE NO. 06214500 AT BILLINGS READS AT OR ABOVE THE FIGURES LISTED BELOW. IN ADDITION, THE APPLICANT AGREES TO CEASE HIS JUNIOR DIVERSION IMMEDIATELY UPON VERBAL OR WRITTEN CALL BY A SENIOR WATER USER. FLOW IN CFS: MARCH 15-31 3,232 | APRIL 1-30 3,932 | MAY 1-20 5,471 | MAY 21-31 12,549 | JUNE 1-7 17,585 | JUNE 8-30 19,065 | JULY 1-10 10,622 | JULY 11-31 4,348 | AUG 1-31 3,846 | SEPT 1-30 3,452 | OCT 1-31 3,917 | NOV 1-15 3,823.

REISSUED RIGHT

THE RIGHT ISSUED ON 11/19/2009 WAS REISSUED. THE RIGHT WAS REISSUED BECAUSE THE PROJECT COMPLETION DEADLINE WAS ADDED.

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 YEARLY 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.

WATER MEASUREMENT-INLINE FLOW METER REQUIRED

WATER MEASUREMENT-INLINE FLOW METER REQUIRED

WATER MEASUREMENT - STATIC WATER MEASUREMENTS REQUIRED DURING SPECIFIC TIMES