

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: 76H 30046210 NON-FILED WATER PROJECT
Version: 2 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

Owners:
JIM W HELMER
436 S THIRD W
MISSOULA, MT 59801

PATRICIA SKERGAN
436 S THIRD W
MISSOULA, MT 59801

Priority Date: SEPTEMBER 1, 1890 at 12:00 A.M.

Enforceable Priority Date: SEPTEMBER 1, 1890 at 12:00 A.M.

Purpose (use): MITIGATION WATER

Maximum Flow Rate: 0.40 GPM

Historical Flow Rate: 20.00 GPM

Maximum Volume: 0.02 AC-FT

Historical Diverted Volume: 1.98 AC-FT

Historical Consumptive Volume: 1.68 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		NWNWNW	9	9N	20W	RAVALLI

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Well Depth: 30.00 FEET

Casing Diameter: 48.00 INCHES

Purpose (Use): MITIGATION WATER

Volume: 1.68 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			NWNWNW	9	9N	20W	RAVALLI

Geocodes/Valid: 04-2092-09-1-01-03-0000 - Y

Remarks:

IMPORTANT INFORMATION

THE DEPARTMENT DETERMINES THE APPLICANT MAY CHANGE NON-FILED WATER PROJECT WATER RIGHT NO. 76H-30046210 SUBJECT TO THESE TERMS:

1. CHANGE 0.02 AF/YR OF THE 1.68 AF/YR HISTORIC CONSUMPTIVE USE FROM NON-FILED WATER PROJECT WATER RIGHT NO. 76H-30046210 (CUMMINGS WELL) IS CHANGED FROM DOMESTIC/LAWN AND GARDEN TO MITIGATION.

2. SHOULD THE CUMMINGS WELL EVER BE REACTIVATED THIS AUTHORIZATION OF CHANGE IN APPROPRIATION RIGHT IS VOIDED AND DIVERSION FROM APPLICATION FOR BENEFICIAL WATER USE PERMIT NO. 76H-30046211 MUST IMMEDIATELY CEASE.

REISSUED RIGHT

THE RIGHT ISSUED ON 12/28/2010 WAS REISSUED. THE RIGHT WAS REISSUED BECAUSE THE PROJECT COMPLETION DUE DATE WAS NOT INCLUDED ON THE ORIGINAL DOCUMENT. THE PROJECT COMPLETION DUE DATE HAS BEEN ADDED.

Remarks:

NON-FILED WATER PROJECT

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT DETERMINED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE.

THE WATER RIGHT CHANGE IN THIS AUTHORIZATION IS IDENTIFIED AS EXEMPT FROM THE ADJUDICATION PROCESS BY THE MONTANA WATER COURT PURSUANT TO §85-2-222, MCA. EXEMPT RIGHTS ARE BASED ON INFORMATION AND EVIDENCE PRESENTED BY THE OWNER. THE BURDEN OF PROOF OF THE EXISTENCE AND EXTENT OF THE HISTORICAL RIGHT REMAINS WITH THE OWNER.

THIS AUTHORIZATION MAY NOT EXCEED ANY AMOUNT THAT MAY BE DETERMINED IN A SUBSEQUENT FINAL DECREE.