

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:** 76LJ 30050564 PROVISIONAL PERMIT  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** BROSTEN FARMS LLC  
2883 LOWER VALLEY RD  
KALISPELL, MT 59901

**Priority Date:** MARCH 11, 2011 at 08:09 A.M.  
**Enforceable Priority Date:** MARCH 11, 2011 at 08:09 A.M.

**Purpose (use):** MULTIPLE DOMESTIC  
LAWN AND GARDEN

**Maximum Flow Rate:** 110.00 GPM

**Maximum Volume:** 46.00 AC-FT

**Maximum Acres:** 19.00

**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		NENENW	8	27N	20W	FLATHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31 **Flow Rate:** 110.00 GPM

**Diversion Means:** WELL  
**Subdivision:** PHEASANT HAVEN  
**Well Depth:** 662.00 FEET  
**Static Water Level:** 2.00 FEET  
**Casing Diameter:** 8.00 INCHES  
**Pump Size:** 7.50 HP

2		NENENW	8	27N	20W	FLATHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31 **Flow Rate:** 50.00 GPM

**Diversion Means:** WELL  
**Subdivision:** PHEASANT HAVEN  
**Well Depth:** 431.00 FEET  
**Casing Diameter:** 6.00 INCHES  
**Pump Size:** 7.50 HP

**Purpose (Use):** MULTIPLE DOMESTIC  
**Households:** 19  
**Volume:** 6.50 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			NENW	8	27N	20W	FLATHEAD
2			NWNW	8	27N	20W	FLATHEAD

**Purpose (Use):** LAWN AND GARDEN  
**Volume:** 39.50 AC-FT  
**Period of Use:** APRIL 15 to OCTOBER 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	8.00		NENW	8	27N	20W	FLATHEAD
2	11.00		NWNW	8	27N	20W	FLATHEAD
<b>Total:</b>	19.00						

**Geocodes/Valid:** -- NO VALID GEOCODES --

**Remarks:**

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**IMPORTANT INFORMATION**

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**

CONFEDERATED SALISH AND KOOTENAI TRIBES - RESERVED WATER RIGHTS: THIS RIGHT IS SUBJECT TO ALL PRIOR INDIAN RESERVED WATER RIGHTS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES IN THE SOURCE OF SUPPLY. IT IS THE TRIBE'S POSITION THAT THE EXERCISE OF JUNIOR WATER RIGHTS EITHER WITHIN OR OUTSIDE OF THE EXTERIOR BOUNDARIES OF THE FLATHEAD INDIAN RESERVATION MAY AFFECT THE RESERVED WATER RIGHTS OF THE TRIBE WITHIN THE EXTERIOR BOUNDARIES OF THE RESERVATION. IT IS THE TRIBE'S POSITION THAT ECONOMIC INVESTMENTS MADE IN RELIANCE UPON THIS RIGHT DO NOT CREATE IN THE APPROPRIATOR ANY EQUITY OR VESTED RIGHT AGAINST THE TRIBES. THE APPROPRIATOR IS HEREBY NOTIFIED THAT ANY FINANCIAL OUTLAY OR WORK INVESTED IN A PROJECT PURSUANT TO THIS RIGHT IS AT APPROPRIATOR'S RISK. THE ISSUANCE OF THIS RIGHT DOES NOT REDUCE THE APPROPRIATOR'S LIABILITY FOR DAMAGE CAUSED BY THE EXERCISE OF THE RIGHT. IT DOES NOT MAKE THE DEPARTMENT LIABLE FOR DAMAGE CAUSED BY THE EXERCISE OF THE RIGHT. NOR IS THE DEPARTMENT LIABLE FOR ANY LOSS TO THE APPROPRIATOR CAUSED BY THE EXERCISE OF SENIOR RESERVED WATER RIGHTS.

**IMPORTANT INFORMATION**

\*\*WATER MEASUREMENT RECORDS 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. 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 DECEMBER 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 DNRC KALISPELL WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES THE FLOW RATE AND VOLUME ACCURATELY.

SUBMIT RECORDS TO:  
DNRC KALISPELL WATER RESOURCES REGIONAL OFFICE  
655 TIMBERWOLF PKWY, SUITE 4  
KALISPELL, MT 59901-1215  
PHONE: 406-752-2288  
FAX: 406-752-2843