

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 30050671 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: FLATHEAD COUNTY ROAD & BRIDGE DEPT
1249 WILLOW GLEN RD
KALISPELL, MT 59901

Priority Date: APRIL 4, 2011 at 04:38 P.M.

Enforceable Priority Date: APRIL 4, 2011 at 04:38 P.M.

Purpose (use): INDUSTRIAL

Maximum Flow Rate: 800.00 GPM

Maximum Volume: 2.36 AC-FT

Source Name: FLATHEAD RIVER, NORTH FORK

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		NWNESW	35	32N	20W	FLATHEAD

Period of Diversion: APRIL 1 TO AUGUST 31

Diversion Means: PUMP

2		SESESW	22	33N	20W	FLATHEAD
---	--	--------	----	-----	-----	----------

Period of Diversion: APRIL 1 TO AUGUST 31

Diversion Means: PUMP

Purpose (Use): INDUSTRIAL

Purpose Clarification: ROAD CONSTRUCTION/DUST ABATEMENT

Volume:

Period of Use: APRIL 1 to AUGUST 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			W2	3	31N	19W	FLATHEAD
2				4	31N	19W	FLATHEAD
3			SE	5	31N	19W	FLATHEAD
4				7	31N	19W	FLATHEAD
5				8	31N	19W	FLATHEAD
6				9	31N	19W	FLATHEAD
7			NW	10	31N	19W	FLATHEAD
8			NE	16	31N	19W	FLATHEAD
9			W2	16	31N	19W	FLATHEAD
10				17	31N	19W	FLATHEAD
11				18	31N	19W	FLATHEAD
12				19	31N	19W	FLATHEAD
13			N2	20	31N	19W	FLATHEAD
14			SW	20	31N	19W	FLATHEAD
15			N2	30	31N	19W	FLATHEAD
16				1	31N	20W	FLATHEAD
17				2	31N	20W	FLATHEAD
18				3	31N	20W	FLATHEAD
19				4	31N	20W	FLATHEAD
20				5	31N	20W	FLATHEAD
21				6	31N	20W	FLATHEAD
22				7	31N	20W	FLATHEAD
23				8	31N	20W	FLATHEAD
24				9	31N	20W	FLATHEAD
25				10	31N	20W	FLATHEAD
26				11	31N	20W	FLATHEAD
27				12	31N	20W	FLATHEAD
28				13	31N	20W	FLATHEAD
29				14	31N	20W	FLATHEAD
30				15	31N	20W	FLATHEAD

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>
31				16	31N	20W	FLATHEAD
32				17	31N	20W	FLATHEAD
33				18	31N	20W	FLATHEAD
34			NE	19	31N	20W	FLATHEAD
35				20	31N	20W	FLATHEAD
36				21	31N	20W	FLATHEAD
37				22	31N	20W	FLATHEAD
38				23	31N	20W	FLATHEAD
39				24	31N	20W	FLATHEAD
40			N2	25	31N	20W	FLATHEAD
41			N2	26	31N	20W	FLATHEAD
42			N2S2	26	31N	20W	FLATHEAD
43			N2	27	31N	20W	FLATHEAD
44			N2	28	31N	20W	FLATHEAD
45			NE	29	31N	20W	FLATHEAD
46			E2W2	1	31N	21W	FLATHEAD
47			E2	12	31N	21W	FLATHEAD
48			NE	13	31N	21W	FLATHEAD
49			SW	34	32N	19W	FLATHEAD
50			SE	2	32N	20W	FLATHEAD
51			W2	2	32N	20W	FLATHEAD
52				3	32N	20W	FLATHEAD
53				4	32N	20W	FLATHEAD
54				5	32N	20W	FLATHEAD
55				6	32N	20W	FLATHEAD
56				7	32N	20W	FLATHEAD
57				8	32N	20W	FLATHEAD
58				9	32N	20W	FLATHEAD
59				10	32N	20W	FLATHEAD
60			W2	11	32N	20W	FLATHEAD
61			W2E2	14	32N	20W	FLATHEAD
62			W2	14	32N	20W	FLATHEAD
63				15	32N	20W	FLATHEAD
64				16	32N	20W	FLATHEAD
65				17	32N	20W	FLATHEAD
66				18	32N	20W	FLATHEAD
67				19	32N	20W	FLATHEAD
68				20	32N	20W	FLATHEAD
69				21	32N	20W	FLATHEAD
70				22	32N	20W	FLATHEAD
71			W2NE	23	32N	20W	FLATHEAD
72			W2	23	32N	20W	FLATHEAD
73			SW	26	32N	20W	FLATHEAD
74				27	32N	20W	FLATHEAD
75				28	32N	20W	FLATHEAD
76				29	32N	20W	FLATHEAD
77				30	32N	20W	FLATHEAD
78				31	32N	20W	FLATHEAD
79				32	32N	20W	FLATHEAD
80				33	32N	20W	FLATHEAD
81				34	32N	20W	FLATHEAD
82			SE	35	32N	20W	FLATHEAD
83			W2	35	32N	20W	FLATHEAD
84			SW	36	32N	20W	FLATHEAD
85				1	32N	21W	FLATHEAD
86				2	32N	21W	FLATHEAD
87			NE	11	32N	21W	FLATHEAD
88				12	32N	21W	FLATHEAD
89			E2	13	32N	21W	FLATHEAD
90			E2	24	32N	21W	FLATHEAD
91			E2	25	32N	21W	FLATHEAD
92			E2W2	25	32N	21W	FLATHEAD
93			E2	36	32N	21W	FLATHEAD
94			E2W2	36	32N	21W	FLATHEAD
95			NW	3	33N	20W	FLATHEAD
96			S2	3	33N	20W	FLATHEAD
97				4	33N	20W	FLATHEAD
98				5	33N	20W	FLATHEAD

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>
99				6	33N	20W	FLATHEAD
100				7	33N	20W	FLATHEAD
101				8	33N	20W	FLATHEAD
102				9	33N	20W	FLATHEAD
103			SE	10	33N	20W	FLATHEAD
104			W2	10	33N	20W	FLATHEAD
105			SW	11	33N	20W	FLATHEAD
106			W2E2	14	33N	20W	FLATHEAD
107			W2	14	33N	20W	FLATHEAD
108				15	33N	20W	FLATHEAD
109				16	33N	20W	FLATHEAD
110				17	33N	20W	FLATHEAD
111				18	33N	20W	FLATHEAD
112				19	33N	20W	FLATHEAD
113				20	33N	20W	FLATHEAD
114				21	33N	20W	FLATHEAD
115			N2	22	33N	20W	FLATHEAD
116			S2SW	22	33N	20W	FLATHEAD
117			NW	23	33N	20W	FLATHEAD
118			NW	27	33N	20W	FLATHEAD
119			S2	27	33N	20W	FLATHEAD
120				28	33N	20W	FLATHEAD
121				29	33N	20W	FLATHEAD
122				30	33N	20W	FLATHEAD
123				31	33N	20W	FLATHEAD
124				32	33N	20W	FLATHEAD
125				33	33N	20W	FLATHEAD
126			SE	34	33N	20W	FLATHEAD
127			W2	34	33N	20W	FLATHEAD
128			S2	35	33N	20W	FLATHEAD
129			E2	1	33N	21W	FLATHEAD
130			SW	1	33N	21W	FLATHEAD
131			SE	11	33N	21W	FLATHEAD
132				12	33N	21W	FLATHEAD
133				13	33N	21W	FLATHEAD
134			E2	14	33N	21W	FLATHEAD
135			E2	23	33N	21W	FLATHEAD
136			E2W2	23	33N	21W	FLATHEAD
137				24	33N	21W	FLATHEAD
138				25	33N	21W	FLATHEAD
139			E2	26	33N	21W	FLATHEAD
140			E2W2	26	33N	21W	FLATHEAD
141			E2	35	33N	21W	FLATHEAD
142			E2NW	35	33N	21W	FLATHEAD
143				36	33N	21W	FLATHEAD
144			SW	28	34N	20W	FLATHEAD
145			SE	29	34N	20W	FLATHEAD
146			SENE	31	34N	20W	FLATHEAD
147			S2	31	34N	20W	FLATHEAD
148				32	34N	20W	FLATHEAD
149			NW	33	34N	20W	FLATHEAD
150			S2	33	34N	20W	FLATHEAD

Remarks:

Remarks:

ASSOCIATED RIGHT

WATER RIGHT PERMITS 76LJ 30050669, 76LJ 30050670 AND 76LJ 30050671 ARE ASSOCIATED BECAUSE THEY PROVIDE WATER FOR ROAD CONSTRUCTION AND DUST ABATEMENT IN THE NORTH FORK OF THE FLATHEAD RIVER DRAINAGE BASIN. THE TOTAL COMBINED DIVERSION RATE SHALL NOT EXCEED 800 GPM.

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.

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

400 GPM WAS COUNTED AS PART OF THE FUTURE SURFACE SOURCE CONSUMPTIVE USE LIMITS DETAILED IN THE U.S. NATIONAL PARK SERVICE-MONTANA COMPACT.

U.S. NATIONAL PARK SERVICE - FUTURE CONSUMPTIVE LIMIT

THIS PERMIT WAS COUNTED AS PART OF THE FUTURE SURFACE SOURCE CONSUMPTIVE USE LIMITS DETAILED IN THE U.S. NATIONAL PARK SERVICE-MONTANA COMPACT.

U.S. NATIONAL PARK SERVICE - MONTANA COMPACT (GLACIER PARK)

THIS RIGHT IS ISSUED IN ACCORDANCE WITH THE GLACIER NATIONAL PARK PROVISIONS OF THE JANUARY 31, 1994, U.S. NATIONAL PARK SERVICE-MONTANA COMPACT.