

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:** 76D 30050684 PROVISIONAL PERMIT  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** KOOTENAI DEVELOPMENT CORP  
107 DEERMONT RD SE  
CALGARY AB T2J5T6  
CANADA

**Priority Date:** DECEMBER 7, 2011 at 04:43 P.M.

**Enforceable Priority Date:** DECEMBER 7, 2011 at 04:43 P.M.

**Purpose (use):** MULTIPLE DOMESTIC

**Maximum Flow Rate:** 15.50 GPM

**Maximum Volume:** 13.60 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		NWSWNW	28	35N	26W	LINCOLN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Well Depth:** 622.00 FEET

**Static Water Level:** 316.00 FEET

**Casing Diameter:** 8.60 INCHES

**Pump Size:** 5.00 HP

2		SWSWNW	28	35N	26W	LINCOLN
---	--	--------	----	-----	-----	---------

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Well Depth:** 860.00 FEET

**Static Water Level:** 220.00 FEET

**Casing Diameter:** 6.00 INCHES

**Pump Size:** 5.00 HP

**Purpose (Use):** MULTIPLE DOMESTIC

**Households:** 44

**Volume:** 13.60 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			W2NW	28	35N	26W	LINCOLN

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

**Remarks:**

**Remarks:**

**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**

A CORRECT AND COMPLETE APPLICATION FOR CHANGE FOR THE PURPOSE OF MITIGATION MUST BE SUBMITTED WITHIN FIVE YEARS AFTER THE ISSUANCE OF THIS PERMIT. FAILURE TO SUBMIT A CORRECT AND COMPLETE APPLICATION WITHIN THIS TIMELINE WILL RESULT IN THE TERMINATION OF THIS PERMIT.

**IMPORTANT INFORMATION**

DIVERSION UNDER THIS PERMIT MAY NOT COMMENCE UNTIL A CHANGE APPLICATION HAS BEEN AUTHORIZED TO SERVE AS MITIGATION FOR THE DEPLETION CAUSED BY THIS WATER USE. DIVERSION UNDER THE PERMIT MUST STOP IF THE MITIGATION PLAN AS HEREIN REQUIRED IN AMOUNT, LOCATION, AND DURATION CEASES IN WHOLE OR IN PART.

**WATER MEASUREMENT-WATER USE MEASURING DEVICE**

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT A POINT 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 MONTHLY 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.