

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 30064207 PROVISIONAL PERMIT  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** LHC INC  
PO BOX 7338  
KALISPELL, MT 59904-7338

**Priority Date:** OCTOBER 11, 2012 at 04:36 P.M.

**Enforceable Priority Date:** OCTOBER 11, 2012 at 04:36 P.M.

**Purpose (use):** IRRIGATION  
COMMERCIAL

**Maximum Flow Rate:** 500.00 GPM

**Maximum Volume:** 124.92 AC-FT

**Maximum Acres:** 10.00

**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         |                 | NWNENE         | 26         | 29N        | 22W        | FLATHEAD      |

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

**Diversion Means:** WELL

**Well Depth:** 427.00 FEET

**Purpose (Use):** IRRIGATION

**Volume:** 20.87 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         | 2.50         |                 | E2NE           | 26         | 29N        | 22W        | FLATHEAD      |
| 2         | 7.50         |                 | N2             | 25         | 29N        | 22W        | FLATHEAD      |

**Total:** 10.00

**Purpose (Use):** COMMERCIAL

**Volume:** 104.05 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         |              |                 | E2NE           | 26         | 29N        | 22W        | FLATHEAD      |
| 2         |              |                 | N2             | 25         | 29N        | 22W        | FLATHEAD      |
| 3         |              |                 | SENE           | 9          | 29N        | 22W        | FLATHEAD      |
| 4         |              |                 | SWNW           | 10         | 29N        | 22W        | FLATHEAD      |

**Geocodes/Valid:**

|                             |                             |
|-----------------------------|-----------------------------|
| 07-4077-09-1-01-01-0000 - Y | 07-4077-10-2-01-01-0000 - Y |
| 07-4077-25-1-02-01-0000 - Y | 07-4077-25-1-02-80-0000 - Y |
| 07-4077-25-2-01-25-0000 - Y | 07-4077-25-2-01-45-0000 - Y |
| 07-4077-26-1-01-01-0000 - Y | 07-4077-26-1-01-05-0000 - Y |
| 07-4077-26-1-01-10-0000 - Y |                             |

**Remarks:**

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**Remarks:**

**ASSOCIATED RIGHT**

THIS APPROPRIATION IS ASSOCIATED TO 76LJ 106893, 76LJ 9214, 76LJ 2373 AND 76LJ 2374. THE WATER RIGHTS MAY BE USED IN ANY COMBINATION, NOT TO EXCEED 768 GALLONS PER MINUTE UP TO 172.69 ACRE-FEET PER YEAR.

**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.

**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 MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED, INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY JANUARY 31 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.