

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 30066687 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: WHITEFISH, CITY OF
PO BOX 158
WHITEFISH, MT 59937

WHITEFISH LAKE GOLF CLUB
PO BOX 666
WHITEFISH, MT 59937

Priority Date: JULY 1, 2013 at 01:27 P.M.
Enforceable Priority Date: JULY 1, 2013 at 01:27 P.M.

Purpose (use): COMMERCIAL
IRRIGATION

Maximum Flow Rate: 3.12 CFS

Maximum Volume: 244.60 AC-FT

Maximum Acres: 118.00

Source Name: WHITEFISH RIVER (WHITEFISH LAKE)
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	4	NESESW	26	31N	22W	FLATHEAD

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: PIPELINE

2	4	NESESW	26	31N	22W	FLATHEAD
---	---	--------	----	-----	-----	----------

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: PIPELINE

Purpose (Use): COMMERCIAL **Purpose Clarification:** 2 WATER FEATURES
Volume: 16.50 AC-FT
Period of Use: APRIL 1 to OCTOBER 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		4	E2SW	26	31N	22W	FLATHEAD

Purpose (Use): IRRIGATION **Purpose Clarification:** GOLF COURSE
Irrigation Type: SPRINKLER
Climatic Area: 3 - MODERATE
Volume: 228.10 AC-FT
Period of Use: APRIL 1 to OCTOBER 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		3	E2SW	26	31N	22W	FLATHEAD
2		4	E2SW	26	31N	22W	FLATHEAD
3		5	W2SE	26	31N	22W	FLATHEAD
4			NWNE	35	31N	22W	FLATHEAD
5			NENW	35	31N	22W	FLATHEAD

Geocodes/Valid: 07-4292-26-3-05-01-0000 - Y 07-4292-26-4-12-01-0000 - Y
07-4292-35-1-13-21-0000 - Y 07-4292-35-1-14-01-0000 - Y
07-4292-35-1-15-01-0000 - Y

Remarks:

ASSOCIATED RIGHT

THIS WATER RIGHT IS ASSOCIATED WITH 76LJ 30051177 AND 76LJ 17981-00; THEY SHARE THE SAME POINTS OF DIVERSION. TOTAL COMBINED FLOW BETWEEN THE THREE RIGHTS SHALL NOT EXCEED 3.12 CFS.

THIS WATER RIGHT IS SUPPLEMENTAL TO STATEMENT OF CLAIM 76LJ 17981-00. 232 AF OF THE TOTAL CLAIMED VOLUME OF 76LJ 17981-00 (847 AF) IS DESIGNATED FOR THE NORTH COURSE. WHILE THIS PERMIT INDICATES 244.6 AF IS AUTHORIZED, ONLY 12.6 AF IS AUTHORIZED BEYOND THE 232 AF AUTHORIZED UNDER 76LJ 17981-00 . IN ADDITION, THE FLOW RATE INDICATED ON THIS PERMIT IS 3.12 CFS, HOWEVER, ONLY 1.56 CFS IS AUTHORIZED BEYOND THE 1.56 CFS AUTHORIZED UNDER 76LJ 17981-00.

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 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.