

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: 42M 35430-00 PROVISIONAL PERMIT
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: WCCO-KRC ACQUISITION CORP
% WESTMORELAND SAVAGE COMPANY CORP
PO BOX 99
COLSTRIP, MT 59323-0099

Priority Date: JUNE 15, 1981 at 09:45 A.M.

Enforceable Priority Date: JUNE 15, 1981 at 09:45 A.M.

Purpose (use): INDUSTRIAL
SEDIMENT CONTROL
SEDIMENT CONTROL

Maximum Flow Rate: 600.00 GPM

Maximum Volume: 8.71 AC-FT

Source Name: UNNAMED TRIBUTARY OF PEABODY COULEE
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 | | NWSWSE | 22 | 20N | 57E | RICHLAND |

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: OFF STREAM

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
| | NWSWSE | 22 | 20N | 57E | RICHLAND |

Current Capacity: 6.20 ACRE-FEET

Purpose (Use): INDUSTRIAL
Volume: 2.56 AC-FT
Period of Use: MARCH 15 to NOVEMBER 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 | | | S2 | 22 | 20N | 57E | RICHLAND |
| 2 | | | N2 | 27 | 20N | 57E | RICHLAND |
| 3 | | | SW | 27 | 20N | 57E | RICHLAND |
| 4 | | | SWSW | 23 | 20N | 57E | RICHLAND |

Purpose (Use): SEDIMENT CONTROL
Volume: 6.15 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 | | | NWSWSE | 22 | 20N | 57E | RICHLAND |

Geocodes/Valid: 27-3075-23-3-01-01-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

WATER RIGHT OWNERSHIP UPDATE RECEIVED 05/25/01.

LIABILITY WAIVER

THE ISSUANCE OF THIS RIGHT BY THE DEPARTMENT SHALL NOT REDUCE THE APPROPRIATOR'S LIABILITY FOR DAMAGES CAUSED BY THE APPROPRIATOR'S EXERCISE OF THIS RIGHT. NOR DOES THE DEPARTMENT IN ISSUING THE RIGHT IN ANY WAY ACKNOWLEDGE LIABILITY FOR DAMAGE CAUSED BY THE APPROPRIATOR'S EXERCISE OF THIS RIGHT.