

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 43075-00 PROVISIONAL PERMIT  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
KOSEK FAMILY TRUST  
PO BOX 155  
ROLLINS, MT 59931  
  
MORAN, JOHN T TRUST  
PO BOX 155  
ROLLINS, MT 59931

**Priority Date:** NOVEMBER 2, 1981 at 03:00 P.M.  
**Enforceable Priority Date:** NOVEMBER 2, 1981 at 03:00 P.M.

**Purpose (use):** STOCK  
WILDLIFE/WATERFOWL

**Maximum Flow Rate:** 70.00 GPM

**Maximum Volume:** 2.48 AC-FT

**Source Name:** KOOTENAI CREEK  
**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		NWNENE	9	24N	21W	LAKE

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

**Reservoir:** OFF STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	N2NENE	9	24N	21W	LAKE

**Dam Height:** 10.00 FEET  
**Depth:** 12.00 FEET  
**Surface Area:** 0.27 ACRES  
**Current Capacity:** 1.40 ACRE-FEET

**Purpose (Use):** STOCK  
**Volume:** 0.38 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			N2N2NE	9	24N	21W	LAKE

**Purpose (Use):** WILDLIFE/WATERFOWL  
**Climatic Area:** 3 - MODERATE  
**Volume:** 2.10 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			N2NENE	9	24N	21W	LAKE

**Geocodes/Valid:** 15-3467-09-1-01-01-0000 - Y

**Remarks:**

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**Remarks:**

**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 ECONOMIC INVESTMENTS MADE IN RELIANCE UPON THIS RIGHT, DO NOT CREATE IN THE APPROPRIATOR ANY EQUITY OF 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 THE 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. THE STATE OF MONTANA'S JURISDICTION TO ISSUE WATER RIGHTS WITHIN THE EXTERIOR BOUNDARIES OF THE FLATHEAD RESERVATION HAS BEEN CHALLENGED BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES IN CAUSE NO. CV-92-54-M-CCL (UNITED STATES DISTRICT COURT, DISTRICT OF MONTANA, MISSOULA DIVISION - FILED MAY 15, 1992) WHICH CASE IS CURRENTLY PENDING. ANY WATER RIGHT ISSUED BY THE STATE IN THE ABSENCE OF JURISDICTION TO ISSUE THE WATER RIGHT IS VOID.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 25715 RECEIVED 11/02/2005.