

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 48889-00 GROUND WATER CERTIFICATE

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: FLATHEAD FRESH ORCHARD INC
6 FORD WAY
KALISPELL, MT 59901

Priority Date: JULY 19, 1982 at 04:57 P.M.

Enforceable Priority Date: JULY 19, 1982 at 04:57 P.M.

Purpose (Use): IRRIGATION

Maximum Flow Rate: 90.00 GPM

Maximum Volume: 30.00 AC-FT

Maximum Acres: 15.00

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		NENWNE	19	23N	19W	LAKE

Period of Diversion: JUNE 1 TO SEPTEMBER 30

Diversion Means: WELL

Well Depth: 540.00 FEET

Static Water Level: 259.00 FEET

Casing Diameter: 8.58 INCHES

Purpose (Use): IRRIGATION

Volume: 30.00 AC-FT

Period of Use: JUNE 1 to SEPTEMBER 30

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	15.00		N2NWNE	19	23N	19W	LAKE

Total: 15.00

Geocodes/Valid: 15-3351-19-1-01-12-0000 - Y

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/24/92.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 123855 RECEIVED 08/14/2014.

OWNERSHIP UPDATE TYPE DOR # 174718 RECEIVED 05/15/2018.