



FILE



GROUND WATER CERTIFICATE



43QJ



30007285

Box Bar Code _____

File Bar Code _____

Date/Initials _____

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

CERTIFICATE OF WATER RIGHT

UPON FINDING THE REQUIREMENTS OF SECTION 85-2-301, MCA, HAVE BEEN MET, THIS CERTIFICATE OF WATER RIGHT IS GRANTED.

Water Right Number: 43QJ 30007285 GROUND WATER CERTIFICATE
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: KRAYTON D KERNS
1408 GOLF COURSE RD
LAUREL, MT 59044
DRUANN J KERNS
1408 GOLF COURSE RD
LAUREL, MT 59044

Priority Date: JANUARY 17, 2003 at 10:00 A.M.

Purpose (use): DOMESTIC
STOCK

Maximum Flow Rate: THIS RIGHT IS LIMITED TO THE ACTUAL AMOUNT USED UP TO 35 GALLONS PER MINUTE.

Maximum Volume: THIS RIGHT IS LIMITED TO THE ACTUAL AMOUNT USED UP TO 10 ACRE-FEET.

Source:
Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	3	SENE SW	6	2S	24E	YELLOWSTONE

Diversion Means: WELL

POINT OF DIVERSION IS LOT 3 BLOCK 3 TRACT 1-B COS NO. 3099

Period of Diversion: JANUARY 1 to DECEMBER 31

Purpose (Use): DOMESTIC

Households:

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		3	SENE SW	6	2S	24E	YELLOWSTONE

Purpose (Use): STOCK

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		3	SENE SW	6	2S	24E	YELLOWSTONE

PLACE OF USE IS LOT 3 BLOCK 3 TRACT 1-B COS NO. 3099

BACKFLOW PREVENTOR

PURSUANT TO SECTION 85-2-505, MCA, TO PREVENT GROUND WATER CONTAMINATION, AN OPERATIONAL BACKFLOW PREVENTOR MUST BE INSTALLED AND MAINTAINED BY THE APPROPRIATOR IF A CHEMICAL OR FERTILIZER DISTRIBUTION SYSTEM IS CONNECTED TO THE WELL.

IF THE OWNERSHIP CHANGES ON ANY PORTION OF OR ALL OF THIS RIGHT, A WATER RIGHT OWNERSHIP UPDATE, FORM #608, MUST BE FILED WITH THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION.

FILMED

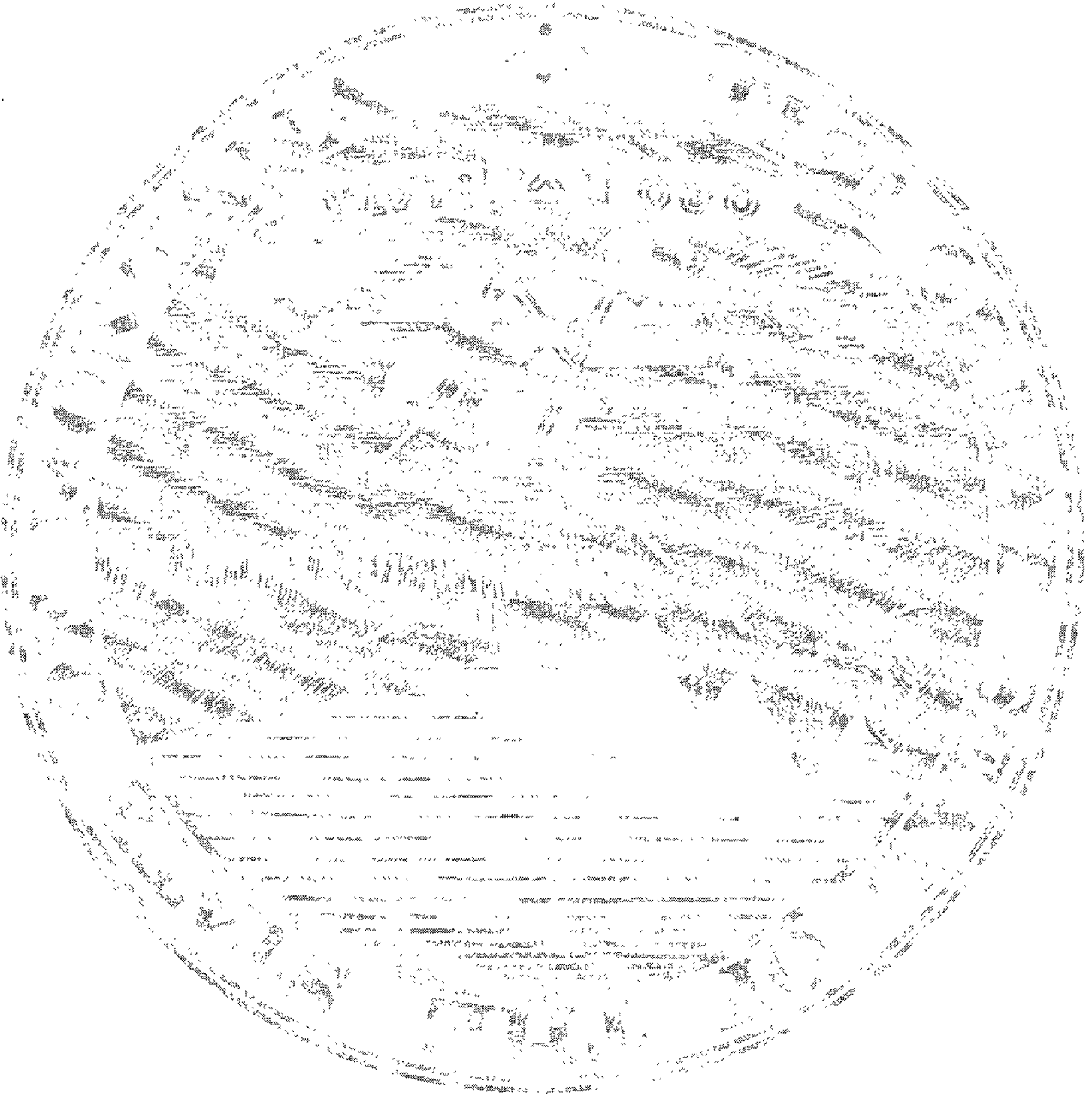
**THIS CERTIFICATE IS SUBJECT TO ALL PRIOR EXISTING WATER RIGHTS
IN THE SOURCE OF SUPPLY.**

**FAILURE TO COMPLY WITH ANY OF THESE TERMS AND CONDITIONS MAY RESULT IN THE LOSS OF THIS
CERTIFICATE OF WATER RIGHT.**

Christine Smith
Witness Signature

Pat Hline
Water Resources Division

DATE ISSUED: SEPTEMBER 25, 2003



NOTICE OF COMPLETION OF GROUNDWATER DEVELOPMENT

For groundwater developments with a maximum use of 35 GPM not to exceed 10 AC-FT per year.

GROUNDWATER IS DEFINED AS ANY WATER BENEATH THE GROUND SURFACE

(Use Form 600, Application for Beneficial Water Use, for appropriations in excess of 35 GPM or 10 AC-FT per year.)

RECEIVED

JAN 17 2003

FOR DEPARTMENT USE ONLY

Notice No. 30007285 Basin 430J
 Priority Date 1-17-2003 Time 10:00 (AM/PM)
 Transmittal # 03-080 Rec'd By CD
 Fee Rec'd \$ 25.00 Check No. 1074
 Payor Krayton Kerns
 Refund \$ _____ Date _____

State law requires this form be filed by the water user within 60 days after the water has been put to use. Your priority is determined by the date of filing.

Complete the notice and attach an aerial photo, survey, or other map showing the location of your development. Submit it with the filing fee, to your Water Resources Regional Office.

Filing Fee: \$25.00

Instructions for completing form on back.

1. **NAME(s)** Krayton D. & Drvann J. Kerns
 Mailing Address 1408 Golf Course Rd.
 City Laurel State MT Zip 59044
 Home Phone 628-8438 Other Phone 628-4309

2. **SOURCE OF GROUNDWATER SUPPLY:** Well Pit — Dimensions (in feet) _____ L _____ W _____ D
 Developed Spring (Excavation, performed at spring location)

3. **ACTUAL PUMPING RATE** 30 GPM Pump: HP Rating 3/4 Installation Depth 97 Ft.

4. **WHEN WAS THE WATER PUT TO ITS INTENDED USE?** (water must be used before you send this form to DNRC)
10-1-02
 Month / Day / Year

5. **DOES THIS WELL REPLACE AN EXISTING WELL?** Yes No
 Old Well Depth _____ Ft. Old Well GPM _____ Date Old Well Drilled or Dug _____
 Month / Day / Year

6. **WILL THIS DEVELOPMENT** be manifold (connected) with another well or spring? Yes No
 If yes, list the water right numbers and explain how they are used. _____

7. **POINT OF DIVERSION** (At least 2 quarter sections are required) Actual location of well, spring, or groundwater pit. Legal land descriptions may be obtained from your county records.
SE 1/4 NE 1/4 SW 1/4 Section 6 Twp 2 N(S) Range 24 (E)W County Yellowstone
 Lot 3 Block 3 Tract No. 1-B COS No. 3099 Government Lot 3
 Subdivision Name _____ Street/Road Address _____

8. **PLACE OF USE** (where water is being used) If same as Point of Diversion, Check Stock
 Domestic Lawn & Garden Stock Irrigation Other
SE 1/4 NE 1/4 SW 1/4 Section 6 Twp 2 N(S) Range 24 (E)W County Yellowstone
 Lot 3 Block 3 Tract No. 1-B COS No. 3099 Government Lot 3
 Subdivision Name _____ Street/Road Address 1408 Golf Course Rd.

9. PURPOSE AND PERIOD OF USE

Domestic	Number of homes supplied by the well being filed on <u>ONE</u> Year-round use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, from _____ to _____, inclusive of each year. <small>Month / Day Month / Day</small> If lawn & garden/shelterbelt is greater than 1/4 acre, complete section below.
Lawn & Garden Shelterbelt Greater Than 1/4 AC.	Total size of lawn and/or garden _____ (length in feet x width in feet ÷ 43560 = acres) Total size of shelterbelt _____ (length in feet x width in feet ÷ 43560 = acres) Period of use: from _____ to _____, inclusive of each year. <small>Month / Day Month / Day</small>
Stock	Number and type <u>Horses - 10</u> Year-round use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, from _____ to _____, inclusive of each year. <small>Month / Day Month / Day</small>
Irrigation	Type of crop _____ Total acres irrigated _____ Period of use: from _____ to _____, inclusive of each year. <small>Month / Day Month / Day</small>
Other	Describe the purpose of use _____ Amount of water used _____ gallons per day Year-round use? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, from _____ to _____, inclusive of each year. <small>Month / Day Month / Day</small>

10. ADDITIONAL INFORMATION

11. AFFIDAVIT OF OWNERSHIP OR WRITTEN CONSENT The statements here are to the best of my knowledge true and correct. I have possessory interest in the property where the water has been put to beneficial use:

Check the box(es) that pertain to your situation: (REQUIRED)

- I exclusively own the ground water development works.
- I do not exclusively own the ground water development works. (Attach written consent of the person who owns the ground water development)
- I have possessory interest in the land where the ground water development is located.
- I do not have possessory interest in the land where the ground water development is located.
 (Attach written notification to land owner pursuant to MCA 85-2-306(1).)

Appropriator's signature Krayton D. Kerns Date: 1-16-03
Drvann Kerns Date: 1-16-03

Subscribed and sworn before me this 16th day of January, 2003

Notary's signature Marie Hart
 Notary for the State of Montana Residing at Laurel
 My commission expires 4/18/2006



NOTICE OF COMPLETION OF GROUNDWATER DEVELOPMENT

RECEIVED

FOR DEPARTMENT USE ONLY

For groundwater developments with a maximum use of 35 GPM not to exceed 10 AC-FT per year.

GROUNDWATER IS DEFINED AS ANY WATER BENEATH THE GROUND SURFACE

(Use Form 600, Application for Beneficial Water Use Permit for appropriations in excess of 35 GPM or 10 AC-FT per year.)

JAN 17 2003

Notice No. 30007285 Basin 430J
Priority Date 1-17-2003 Time 10:00 AM/PM
Transmittal # 03-080 Rec'd By CD
Fee Rec'd \$ 2500 Check No. 1074
Payor Krayton Kerns

State law requires this form be filed by the water user within 60 days after the water has been put to use. Your priority is determined by the date of filing.

Refund \$ _____ Date _____

Complete the notice and attach an aerial photo, survey, or other map showing the location of your development. Submit it with the filing fee, to your Water Resources Regional Office.

Filing Fee: \$25.00
Instructions for completing form on back.

1. NAME(s) Krayton D. & Duann J. Kerns
Mailing Address 1408 Golf Course Rd.
City Laurel State MT Zip 59044
Home Phone 628-8438 Other Phone 628-4309

2. SOURCE OF GROUNDWATER SUPPLY: [X] Well [] Pit - Dimensions (in feet) L W D
[] Developed Spring (Excavation, performed at spring location)

3. ACTUAL PUMPING RATE 30 GPM Pump: HP Rating 3/4 Installation Depth 97 Ft.

4. WHEN WAS THE WATER PUT TO ITS INTENDED USE? (water must be used before you send this form to DNRC)
10-1-02
Month/Day/Year

5. DOES THIS WELL REPLACE AN EXISTING WELL? [] Yes [X] No
Old Well Depth _____ Ft. Old Well GPM _____ Date Old Well Drilled or Dug _____
Month/Day/Year

6. WILL THIS DEVELOPMENT be manifold (connected) with another well or spring? [] Yes [X] No
If yes, list the water right numbers and explain how they are used.

7. POINT OF DIVERSION (At least 2 quarter sections are required) Actual location of well, spring, or groundwater pit.
Legal land descriptions may be obtained from your county records.
SE 1/4 NW 1/4 SW 1/4 Section 6 Twp 2 N/S Range 24 EW County Yellowstone
Lot 3 Block B Tract No. 1-B COS No. 3099 Government Lot 3
Subdivision Name _____ Street/Road Address _____

8. PLACE OF USE (where water is being used) If same as Point of Diversion, Check []
[X] Domestic [] Lawn & Garden [X] Stock [] Irrigation [] Other
SE 1/4 NW 1/4 SW 1/4 Section 6 Twp 2 N/S Range 24 EW County Yellowstone
Lot 3 Block B Tract No. 1-B COS No. 3099 Government Lot 3
Subdivision Name _____ Street/Road Address 1408 Golf Course Rd.

Table with 2 columns: Category (Domestic, Lawn & Garden Shelterbelt Greater Than 1/4 AC, Stock, Irrigation, Other) and Description/Details.

10. ADDITIONAL INFORMATION

11. AFFIDAVIT OF OWNERSHIP OR WRITTEN CONSENT The statements here are to the best of my knowledge true and correct. I have possessory interest in the property where the water has been put to beneficial use:

- Check the box(es) that pertain to your situation: (REQUIRED)
[] I exclusively own the ground water development works.
[] I do not exclusively own the ground water development works. (Attach written consent of the person who owns the ground water development)
[X] I have possessory interest in the land where the ground water development is located.
[] I do not have possessory interest in the land where the ground water development is located. (Attach written notification to land owner pursuant to MCA 85-2-306(1).)

Appropriator's signature Krayton D. Kerns Duann Kerns Date: 1-16-03
Subscribed and sworn before me this 16th day of January, 2003
Notary's signature Marie Hart
Notary for the State of Montana Residing at Laurel
My commission expires 4/18/2006



INSTRUCTIONS

NOTICE OF COMPLETION OF GROUNDWATER DEVELOPMENT (Form 602)

1. **NAME:** Enter the complete name of the person(s) to be listed as the water right owner(s), their mailing address, home phone and daytime phone number.
2. **SOURCE OF GROUNDWATER SUPPLY:** Fill in the type of groundwater development (hereinafter, development). If the source is a groundwater pit or includes a pit, give the dimensions of the pit.
3. **ACTUAL PUMPING RATE:** This refers to the rate you are taking water from the source. Enter the actual rate the water is withdrawn from the source in gallons per minute (gpm). The well test data on the well log may not be an accurate reading of the flow you are using. One way to determine an approximate flow rate is to turn the water on until the pump comes on and stays on. Time how many seconds it takes to fill a 5-gallon bucket. Use the following formula to calculate the flow rate; $300 \div \# \text{ of seconds} = \text{flow rate (gpm)}$. If stock are drinking directly from the source or the use is for an on-source fishpond, no flow rate is required.
4. **DATE WATER PUT TO BENEFICIAL USE:** Enter the date you started using water from the well, spring or pit.
5. **DOES THIS WELL REPLACE AN EXISTING WELL:** If this well replaces an older well, check yes and fill in the depth, gpm and the date the old well was drilled. Depending on the information given, you may be able to retain the priority date of the old well. If the old well is recorded with our Department, enter the water right number.
6. **WILL THIS DEVELOPMENT** be manifolded with another well or spring? If your new development is hooked to another system using groundwater, check yes. Enter the water right number of the other development and explain how the two developments work together.
7. **POINT OF DIVERSION:** Refers to the actual location of the well, spring, or ground water pit. Enter the point of diversion. Describe the point of diversion to the nearest 10 acres by completing the 1/4 1/4 1/4 section, Section, Township, Range and County.
Subdivisions: List the location lot and block or tract no., subdivision name and the legal description including 1/4 section, Section, Township, Range and County.
Government Lots: List the government lot and the 1/4 section, Section, Township, Range and County.
Street or Road Address: Enter the physical address of the development.
8. **PLACE OF USE:** This is where you use the water. Check the purpose for the place of use you are describing. If the place of use is the same as where the development is located, check the box. If the place of use is not the same as the development, complete the land description for the place of use. Describe the place of use to the nearest 10 acres, by completing the 1/4 1/4 1/4 section, Section, Township, Range and County.
Subdivisions: List the location lot and block or tract no., subdivision name and the legal description including 1/4 section, Section, Township, Range and County.
Government Lots: List the government lot and the 1/4 section, Section, Township, Range and County.
Street or Road Address: Enter the physical address of the place of use.
9. **PURPOSE AND PERIOD OF USE:** Enter the required information for each current use of the development. Enter the period of time water will be used for the identified purpose in the **from (month/day) to (month/day)** space.
Domestic: Identify the number of houses supplied.
Lawn & Garden/Shelterbelt: Complete this area only if the total area of the lawn/garden you water is greater than 1/4 acre.
Stock: Identify the number and type of livestock watered. Count weaned animals individually.
Irrigation (Other than lawn & garden/shelterbelt): Complete this section if you are watering a shelterbelt or another type of crop from this development.
Other: For other uses not described above, enter the type of use and number of gallons used per day.
10. **ADDITIONAL INFORMATION:** Use to further clarify your use of the development.
11. **AFFIDAVIT OF OWNERSHIP OR WRITTEN CONSENT:** Check the box(es) that apply to your particular situation and sign this form in front of a notary. NOTE: Attaching written consent or written notification does not create, or replace the need for, an easement.

MONTANA WATER RESOURCES REGIONAL OFFICES

Return this completed, signed, and notarized form, the \$25.00 filing fee (payable to DNRC), and any well logs and maps to this Department.

Billings

Airport Business Park
1371 Rimtop Drive
Billings, MT 59105-1978
Phone: 406-247-4415
Fax: 406-247-4416
Serving: Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Stillwater, Sweet Grass, Treasure, and Yellowstone Counties

Havre

210 6th Avenue
P.O. Box 1828
Havre, MT 59501-1828
Phone: 406-265-5516
Fax: 406-265-2225
Serving: Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties

Lewistown

613 NE Main Street, Suite E
Lewistown, MT 59457-2020
Phone: 406-538-7459
Fax: 406-538-7089
Serving: Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, and Wheatland Counties

Bozeman

151 Evergreen Drive, Suite C
Bozeman, MT 59715
Phone: 406-586-3136
Fax: 406-587-9726
Serving: Gallatin, Madison, and Park Counties

Helena

21 North Last Chance Gulch
P.O. Box 201601
Helena, MT 59620-1601
Phone: 406-449-0944
Fax: 406-442-9315
Serving: Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis and Clark, Powell, and Silver Bow Counties

Missoula

Town and Country Shopping Center
1610 South 3rd Street West, Suite 103
P.O. Box 5004
Missoula, MT 59806-5004
Phone: 406-721-4284
Fax: 406-542-1496
Serving: Granite, Mineral, Missoula, and Ravalli Counties

Glasgow

222 6th Street South
P.O. Box 1269
Glasgow, MT 59230-1269
Phone: 406-228-2561
Fax: 406-228-8706
Serving: Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley, and Wibaux Counties

Kalispell

109 Cooperative Way, Suite 110
Kalispell, MT 59901-2387
Phone: 406-752-2288
Fax: 406-752-2843
Serving: Flathead, Lake, Lincoln, and Sanders Counties

For Mailing, Use Post Office Box Number.

FORM 602
CORRECT AND COMPLETE REVIEW
FOR USE ON ALL PRE-07/18/2003 FORMS INCLUDING THOSE FORMS
RECEIVED BY DNRC PRIOR TO 07/18/2003.

- **THIS FORM MUST BE COMPLETED AND INCLUDED WITH EACH FILE. A CHECKED BOX MEANS THE INFORMATION IS CORRECT AND COMPLETE.**
- **ALL CORRECTIONS OR CHANGES MADE BY DNRC MUST BE ON A **WORK COPY** AND MUST INCLUDE THE DATE AND THE INITIALS OF THE PERSON MAKING THE CHANGE.**
- **IF ADEQUATE INFORMATION IS NOT PROVIDED ON THE FORM, BUT DNRC CAN FIND THE CORRECT INFORMATION CONTAINED ON THE FORM OR FROM INTERNET SITES, DNRC WILL ENTER THE CORRECT INFORMATION.**
- **A map is not required. However, if a map is included and the required information is on the map, DNRC will confirm the written land description matches the map. If it does not, DNRC will change the written description to match the map. If a map is submitted, but does not have the required information, mark a large X across the map so that it is known the map was not used.**

ITEM 1. NAME, ADDRESS, PHONE NO:

CORRECT AND COMPLETE IS THAT A NAME AND ADDRESS IS PROVIDED. CHECK FOR NAME STANDARDIZATION AND CORRECT IF NECESSARY.

ITEM 2. SOURCE OF GROUND WATER SUPPLY:

CORRECT AND COMPLETE IS THAT A BOX IS CHECKED. ITEM 2 IS CORRECT AND COMPLETE IF PIT IS CHECKED, BUT NO DIMENSIONS ARE LISTED. IF THE 602 IS ON THE BACK OF A WELL LOG, DNRC WILL CHECK THE WELL BOX.

ITEM 3. ACTUAL PUMPING RATE:

CORRECT AND COMPLETE IS THAT THE AMOUNT LISTED IS LESS THAN 35 GPM. IF NO AMOUNT IS LISTED, DNRC WILL LEAVE THE FORM BLANK AND PRESUME THE FLOW RATE IS 35 GPM OR LESS. DNRC WILL USE THE HP RATING OR INSTALLATION DEPTH ONLY TO DETERMINE THAT THE WELL DOES NOT EXCEED 35 GPM.

ITEM 4. WHEN WAS WATER PUT TO USE:

CORRECT AND COMPLETE IS THAT THE DATE IS THE CURRENT YEAR OR BEFORE, OR IS LEFT BLANK. IF AN ANSWER IMPLIES THE WELL IS NOT IN USE, RETURN THE FORM.

ITEM 5. REPLACEMENT WELL INFORMATION:

IF ALL THREE ITEMS ARE ENTERED, DNRC WILL SEND NOTICE TO APPLICANT EXPLAINING A 634 COULD BE FILED. IF NOT, DNRC WILL PROCESS THE 602 AS A NEW FILING.

ITEM 6. COMBINATION DEVELOPMENT:

CORRECT AND COMPLETE IS THAT NO INFORMATION IS PROVIDED OR ONE OF THE BOXES IS CHECKED. NO EVALUATION WILL BE MADE BASED ON THE INFORMATION PROVIDED.

ITEM 7. POINT OF DIVERSION:

CORRECT AND COMPLETE IS:

1. ¼¼ SECTION, SECTION, TOWNSHIP AND RANGE (40 ACRE DESCRIPTION);
2. LOT, BLOCK, SUBDIVISION, ¼ SECTION, SECTION TOWNSHIP AND RANGE;
3. GOVERNMENT LOT, ¼ SECTION, SECTION, TOWNSHIP AND RANGE; OR
4. CERTIFICATE OF SURVEY NO. WITH OR WITHOUT A LOT NUMBER, ¼ SECTION, SECTION, TOWNSHIP & RANGE.

IF THE 602 IS ON THE BACK OF THE WELL LOG AND THE DESCRIPTIONS DO NOT MATCH, DNRC WILL USE THE DESCRIPTION PROVIDED BY THE WELL OWNER OR THE MONTANA CADASTRAL SYSTEM.

STREET OR ROAD ADDRESS –CORRECT AND COMPLETE WILL BE WHATEVER IS ENTERED. DNRC WILL NOT CONFIRM THE ACCURACY OF THE INFORMATION.

ITEM 8. PLACE OF USE:

IF NO INFORMATION IS ENTERED, DNRC WILL USE THE POINT OF DIVERSION LAND DESCRIPTION. THE INFORMATION APPLICABLE TO SUBDIVISIONS, GOVERNMENT LOTS AND STREET OR ROAD ADDRESSES WILL BE HANDLED THE SAME AS SHOWN IN POINT OF DIVERSION ABOVE.

ITEM 9. PURPOSE AND PERIOD OF USE:

CORRECT AND COMPLETE IS THAT AT LEAST ONE BOX IS CHECKED. IF THE PERIOD OF USE IS NOT CHECKED, DNRC WILL USE THE FOLLOWING STANDARD TIME PERIODS:

JANUARY 1 – DECEMBER 31 FOR DOMESTIC AND STOCK PURPOSES

APRIL 1 – OCTOBER 31 FOR LAWN, GARDEN, OR OTHER IRRIGATION PURPOSES.

DNRC WILL REVIEW THE INFORMATION ENTERED TO DETERMINE IF THE USE EXCEEDS 10 AF. IF THE VOLUME EXCEEDS A TOTAL OF 10 ACRE-FEET, DNRC WILL SEND THE APPLICANT A DEFICIENCY LETTER EXPLAINING THE PROBLEM.

ITEM 11. AFFIDAVIT:

CORRECT AND COMPLETE IS THAT THE BOX PERTAINING TO OWNERSHIP OF THE DEVELOPMENT WORKS IS CHECKED AND THAT THE FORM IS SIGNED. NOTARY INFORMATION IS NOT REQUIRED.

DATA ENTRY: Leave the maximum flow rate and volume fields blank. Do not code a volume for the purpose.

REVIEWER *A. Kline*

DATE 9-24-03