

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 110872-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: PATRICIA K BAUERLE
PO BOX 160867
BIG SKY, MT 59716

ROBERT H BAUERLE
PO BOX 160867
BIG SKY, MT 59716

CASA AQUA FESTIVA LLC
4341 LONE ROCK SCHOOL RD
STEVENSVILLE, MT 59870

Priority Date: SEPTEMBER 9, 1938
Enforceable Priority Date: SEPTEMBER 9, 1938

Type of Historical Right: FILED

Purpose (use): DOMESTIC
Maximum Flow Rate: 2.25 CFS
Maximum Volume: 1,600.00 AC-FT

Households: 1

Source Name: FLATHEAD RIVER (FLATHEAD 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		SWSWNE	33	24N	21W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: PUMP
Subdivision: BIG ARM ORIGINAL TOWNSITE TRACT/LOT: 1-6 BLOCK: 3

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			SWSWNE	33	24N	21W	LAKE
		Subdivision:	BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1 BLOCK: 3				
2			SWSWNE	33	24N	21W	LAKE
		Subdivision:	BIG ARM ORIGINAL TOWNSITE TRACT/LOT 2 BLOCK: 3				
3			SWSWNE	33	24N	21W	LAKE
		Subdivision:	BIG ARM ORIGINAL TOWNSITE TRACT/LOT 3 BLOCK: 3				
4			SWSWNE	33	24N	21W	LAKE
		Subdivision:	BIG ARM ORIGINAL TOWNSITE TRACT/LOT 16 BLOCK: 16				
5			SWSWNE	33	24N	21W	LAKE
		Subdivision:	BIG ARM ORIGINAL TOWNSITE TRACT/LOT 5 BLOCK: 3				
6			SWSWNE	33	24N	21W	LAKE
		Subdivision:	BIG ARM ORIGINAL TOWNSITE TRACT/LOT 6 BLOCK: 3				
7			SWSWNE	33	24N	21W	LAKE
		Subdivision:	BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1 BLOCK: 16				
8			SWSWNE	33	24N	21W	LAKE
		Subdivision:	BIG ARM ORIGINAL TOWNSITE TRACT/LOT 4 BLOCK: 3				

Geocodes/Valid: 15-3467-33-1-04-03-0000 - Y 15-3467-33-1-04-04-0000 - Y
15-3467-33-1-04-06-0000 - Y

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.
THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE FLATHEAD

Remarks:

INDIAN RESERVATION.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/20/1992.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/21/1995.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/11/1998.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/16/1999.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 130163 RECEIVED 02/26/2015.

THIS CLAIM APPEARS TO BE DUPLICATED BY CLAIM NO. 76LJ 39800-00 WHICH IS BASED ON THE SAME FILED RIGHT. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

THE CLAIMED FLOW RATE APPEARS TO EXCEED THE CAPACITY OF THE DIVERSION AND CONVEYANCE FACILITIES.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/08/2016, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CONFEDERATED SALISH & KOOTENAI TRIBE.

THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THIS RIGHT HAS A POINT OF DIVERSION OR PLACE OF USE ON SPECIAL STATUS LANDS AND WAS NOT FILED BY THE TRIBES OR THE UNITED STATES ON BEHALF OF THE TRIBES.

THE CLAIMED VOLUME EXCEEDS THE 1.5 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.