

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:** 40F 154823-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** ANDERSON, C F FAMILY PARTNERSHIP  
223 COMMONS WAY  
KALISPELL, MT 59901  
  
SCHULZ, VICKI FEY FAMILY PARTNERSHIP  
139 JUNIPER BEND DR  
KALISPELL, MT 59901

**Priority Date:** JUNE 1, 1946

**Enforceable Priority Date:** JUNE 1, 1946

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 9.50 CFS

PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 270.00

**Source Name:** FRED AND GEORGE 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		SWSENE	28	37N	2E	TOOLE

**Period of Diversion:** APRIL 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Reservoir:** OFF STREAM **Reservoir Name** BIG LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESWNW	27	37N	2E	TOOLE

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 10.00 FEET

**Depth:** 8.00 FEET

**Surface Area:** 30.00 ACRES

**Current Capacity:** 96.00 ACRE-FEET

**Reservoir:** OFF STREAM **Reservoir Name** ALKALI LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNESE	26	37N	2E	TOOLE

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 15.00 FEET

**Depth:** 10.00 FEET

**Surface Area:** 27.50 ACRES

**Current Capacity:** 110.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

**Period of Use:** APRIL 1 to NOVEMBER 1

**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	9.00		S2S2SE	24	37N	2E	TOOLE
2	221.00			25	37N	2E	TOOLE
3	23.00		SESE	26	37N	2E	TOOLE
4	15.00		NENE	35	37N	2E	TOOLE
5	2.00		W2NWNW	36	37N	2E	TOOLE

**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>
<b>Total:</b>	270.00						
<b>Geocodes/Valid:</b>		21-4958-24-3-01-01-0000 - Y				21-4958-25-3-01-01-0000 - Y	
		21-4958-25-3-04-01-0000 - Y				21-4958-25-4-01-01-0000 - Y	
		21-4958-26-4-01-01-0000 - Y				21-4958-35-1-01-01-0000 - Y	
		21-4958-36-1-01-01-0000 - Y					

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

154801-00 154803-00 154809-00 154815-00 154823-00 154825-00 154826-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/25/1990: PLACE OF USE, MAXIMUM ACRES, FLOW RATE, VOLUME.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 93262 RECEIVED 11/16/2011.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 5/30/2012, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STATE TRUST LANDS.

USDA AERIAL PHOTOGRAPH NO(S). 278-29 , DATED 8/10/1979 , APPEARS TO INDICATE 194.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). ZQ-2GG-102 , DATED 6/28/1966 , APPEARS TO INDICATE 143.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

ACCORDING TO THE CLAIMANT BIG LAKE WAS ENLARGED IN 1956. THIS MAY INDICATE AN EXPANSION OF THE RIGHT.