

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 43276-00 GROUND WATER CERTIFICATE
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: FAIA, WILLIAM A & MARGE L TRUST
28170 WHITE SWAN RD
POLSON, MT 59860

DANIEL TUXBURY
PO BOX 610
POLSON, MT 59860

LINDA JO TUXBURY
PO BOX 610
POLSON, MT 59860

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: MARCH 16, 1982 at 01:53 P.M.

Enforceable Priority Date: MARCH 16, 1982 at 01:53 P.M.

Purpose (use): DOMESTIC
LAWN AND GARDEN

Maximum Flow Rate: 25.00 GPM

Maximum Volume: 4.00 AC-FT

Maximum Acres: 1.50

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		NE	32	24N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Subdivision: WHITE SWAN VILLA SITE TRACT/LOT: 6 BLOCK: 6

Purpose (Use): DOMESTIC

Households: 1

Volume: 1.00 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			NE	32	24N	20W	LAKE

Subdivision: WHITE SWAN VILLA SITE TRACT/LOT 5 BLOCK: 6

2 NE 32 24N 20W LAKE

Subdivision: WHITE SWAN VILLA SITE TRACT/LOT 6 BLOCK: 6

Purpose (Use): LAWN AND GARDEN

Volume: 3.00 AC-FT

Period of Use: JUNE 1 to OCTOBER 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			NE	32	24N	20W	LAKE

Subdivision: WHITE SWAN VILLA SITE TRACT/LOT 5 BLOCK: 6

2 NE 32 24N 20W LAKE

Subdivision: WHITE SWAN VILLA SITE TRACT/LOT 6 BLOCK: 6

Geocodes/Valid: 15-3468-32-1-02-03-0000 - Y

Remarks:

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 05/30/89.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 85874 RECEIVED 11/18/2009.

OWNERSHIP UPDATE TYPE DOR # 83801 RECEIVED 09/02/2010.

OWNERSHIP UPDATE TYPE DOR # 148667 RECEIVED 10/27/2016.