#### STATE OF MONTANA

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

# **GENERAL ABSTRACT**

Version Status: ACTIVE   Owners: PATRICIA K BAUERLE PO BOX 160867 BIG SKY, MT S9716   ROBERT H BAUERLE PO BOX 160867 BIG SKY, MT S9716   CASA AOUA FESTIVA LLC 4331 LONE ROCK SCHOOL RD STEVENSVILLE, MT S9870   Priority Date: SEPTEMBER 9, 1938   Enforceable Priority Date: SEPTEMBER 9, 1938   Type of Historical Right: FLED   Purpose (use): DOMESTIC   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: SWSWNE   1 SWSWNE 33 24N   Period of Diversion: JANUARY 1 TO DECEMBER 31 21W LAKE   Subdivision: BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1.6 BLOCK: 3 2   2 Subdivision: BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1.8LOCK: 3   3 Subdivision: BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1.8LOCK: 3   2 SWSWNE 33 24N 21W LAKE   Subdivision: BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1.8LOCK: 3 SWSWNE 33 24N 21W LAKE	Water Right Number:		72-00 STATEMENT OF CLAIM ORIGINAL RIGHT		
Owners:PATRICIA K BAUERLE PO BOX 1600867BIG SKY, MT S9716ROBERT H BAUERLE PO BOX 1600867BIG SKY, MT S9716CASA AQUA FESTIVA LLC 4341 LONE ROCK SCHOOL RD 2341 LONE ROCK SCHOOL RD 341 LONE ROCK SCHOOL RD 341 LONE ROCK SCHOOL RD TEVENSVILLE, MT 59870Priority Date:SEPTEMBER 9, 1938Enforceable Priority Date:SEPTEMBER 9, 1938Terrority Date:SEPTEMBER 9, 1938Maximum Pow Rate:2.25 CFSMaximum Pow Rate:9.000.00 AC-FTMaximum Pow Rate:9.000.00 AC-FTMaximum Pow Rate:9.0000 AC-FTMaximum Pow Rate:<					
PO BOX 160867 BIG SKY, MT 59716CASA AQUA FESTIVA LLC 4341 LONE ROCK SCHOOL RD STEVENSVILLE, MT 59870Priority Date:SEPTEMBER 9, 1938Enforceable Priority Date:SEPTEMBER 9, 1938Type of Historical Right:FILEDPurpose (use):DOMESTIC Maximum Flow Rate:2.25 CFSMaximum Flow Rate:2.25 CFSMaximum Volume:1,600.00 AC-FTHouseholds:1Source Type:SURFACE WATERPort of DiversionSURFACE WATERPort of Diversion:SURFACE WATERPort of Diversion:JANUARY 1 TO DECEMBER 31Diversion:JANUARY 1 TO DECEMBER 31Diversion:JANUARY 1 TO DECEMBER 31Diversion:BIG ARM ORIGINAL TOWNSITE TRACT/LOT: 1.6 BLOCK: 3Period of Diversion:BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1 BLOCK: 32Subdivision:BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1 BLOCK: 32Subdivision::BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1 BLOCK: 33Subdivision::BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1 BLOCK: 34Subdivision::BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1 BLOCK: 35Subdivision::BIG ARM ORIGINAL TOWNSITE TRACT/LOT 1 BLOCK: 33Subdivision::BIG ARM ORIGINAL T	Owners:	PATRICIA K BAUERLE PO BOX 160867			
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15-3467-33-1-04-06-0000 - Y	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.