

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 154801-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** RATZBURG LIVESTOCK LLP  
265 BOBCAT ANGUS LOOP  
GALATA, MT 59444-9540  
  
ANDERSON, C F FAMILY PARTNERSHIP  
223 COMMONS WAY  
KALISPELL, MT 59901  
  
SCHULZ, VICKI FEY FAMILY PARTNERSHIP  
139 JUNIPER BEND DR  
KALISPELL, MT 59901

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

**Priority Date:** JUNE 30, 1900

**Enforceable Priority Date:** JUNE 30, 1900

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 2.93 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:** 285.00

**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:** MARCH 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</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	72.00		S2	22	37N	2E	TOOLE
2	17.00		SW	24	37N	2E	TOOLE
3	111.00			25	37N	2E	TOOLE
4	4.50		W2NW	26	37N	2E	TOOLE
5	24.50		SESE	26	37N	2E	TOOLE
6	56.00		N2	27	37N	2E	TOOLE
<b>Total:</b>	285.00						

ALL OR PART OF THE PLACE OF USE CONSISTS OF SCHOOL TRUST LAND

<b>Geocodes/Valid:</b>	21-4958-22-4-01-01-0000 - Y	21-4958-24-3-01-01-0000 - Y
	21-4958-25-3-01-01-0000 - Y	21-4958-25-4-01-01-0000 - Y
	21-4958-26-4-01-01-0000 - Y	21-4958-27-1-01-01-0000 - Y
	21-4958-27-2-01-01-0000 - 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, VOLUME.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 7537 RECEIVED 02/10/2003.

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

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

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 ACCORDING TO THE CLAIMANT THE DAMS WERE CONSTRUCTED ON BIG LAKE AND ALKALI LAKE IN 1904 AND 1907 RESPECTIVELY WHICH DOES NOT CORRESPOND TO THE CLAIMED PRIORITY DATE THIS MAY INDICATE AN EXPANSION OF THE RIGHT.  
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