

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 29572-00 PROVISIONAL PERMIT  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
JAMES ADER  
42884 POPLAR LN  
POLSON, MT 59860  
  
PAMELA ADER  
42884 POPLAR LN  
POLSON, MT 59860  
  
PAUL LINAWEAVER JR  
42884 POPLAR LN  
POLSON, MT 59860

**Priority Date:** SEPTEMBER 26, 1980 at 11:49 A.M.  
**Enforceable Priority Date:** SEPTEMBER 26, 1980 at 11:49 A.M.

**Purpose (use):** LAWN AND GARDEN  
**Maximum Flow Rate:** 65.00 GPM  
**Maximum Volume:** 2.00 AC-FT  
**Maximum Acres:** 1.00

**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		SWSWNW	26	24N	21W	LAKE

**Period of Diversion:** APRIL 30 TO OCTOBER 1  
**Diversion Means:** PUMP  
**Subdivision:** SEE REMARK FOR SUBDIVISION INFORMATION TRACT/LOT: 3 BLOCK: 001  
**Pump Size:** 2.00 HP

**Purpose (Use):** LAWN AND GARDEN  
**Volume:** 2.00 AC-FT  
**Period of Use:** APRIL 30 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	1.00		SWSWNW	26	24N	21W	LAKE

**Subdivision:** SEE REMARK FOR SUBDIVISION INFORMATION TRACT/LOT 3 BLOCK: 1

**Total:** 1.00

SEE WATER RIGHT FILE FOR SUBDIVISION INFORMATION.

**Geocodes/Valid:** 15-3467-26-3-01-03-0000 - Y

**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.

**Remarks:**

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 27707 RECEIVED 12/16/2005.

OWNERSHIP UPDATE TYPE DOR # 82548 RECEIVED 11/01/2010.