SUN RIVER/LEWIS ACQUISITION
FACT SHEET
November 2008

The purpose of the current proposal is to provide public access on this portion of the Sun River. The Lewis Property is located approximately 4 miles west of Vaughn on Hwy 200, or 14 miles northwest of Great Falls. The site is approximately 164 acres and would provide access to both sides of the Sun River for approximately 1 river mile. The Sun River is a floatable stream, but access is poor in several areas. There is no public access between the towns of Sun River and Great Falls (30 river miles). The Sun River flows through the property and most of the proposed site is located south of the river, while the access road is north of the river. Thus, access to the southern portion of the site would be by boat or by wading across the river.

On the south side of the Sun River there are upland grasslands and there is a large pond on the north side of the Sun River there is a gravel pit. There is a variety of vegetation and wildlife at the site due to the various habitats. There are stands of mature cottonwoods, willows along the riverbanks, and numerous grasses and shrubs throughout the site. The grassland has saline habitats with greasewood and rabbit brush present. In addition, blue bunch grass is present, indicating the site has not been grazed recently. Pheasant, Hungarian partridge, white tail deer, antelope, and waterfowl have all been noted at the site. There is an osprey nest located on the north side of the river. The pond is heavily used by waterfowl, and there are nesting mounds present.

The Board of Land Commissioners approved this acquisition in June 2005 but at that time FWP proposed acquiring 134 acres for $150,000. It was later determined that it would be in the best interest of the public and the protection of the Sun River to acquire the entire 164 acres for $235,000.

OWNER:	<	**Lewis Construction** **Great Falls, Montana**
PROPERTY RIGHT TO BE ACQUIRED:	<	**Fee Simple**
PROPERTY DATA:	< < <	**Property located in Cascade County, Montana** **164.07 acres on the Sun River** **T21N, R01E, portions of sections 29 & 32**
COST:	<	**$235,000**
FUNDING	<	**Fishing Access Acquisition Account and Access Montana**
PROCESS:	<	**Draft Environmental Assessment distributed; End of 30-day Public Comment Period 05/30/05; Decision Notice issued 06/07/05; FWP Commission Approval – 06/09/05.**

Montana Cadastral Mapping Project

Map Legend

- Parcels
- Roads
- Interstate
- Primary
- Secondary
- Tertiary
- Trail - 4WD
- Trail/Service Road
- Streams
- Conservation Easements
- County
- Aerial Photography

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: Oct 16, 2008
Agenda Item: Sun River/Lewis Land Acquisition – Fishing Access Site
Division: Parks Division
Action Needed: Final Approval

Time Needed on Agenda for this Presentation: 10 minutes

Background: The Lewis Property is located along the Sun River, approximately four miles west of Vaughn on Hwy 200, or 14 miles northwest of Great Falls. Montana Fish, Wildlife & Parks (FWP), with your approval, would purchase the Lewis Property using $235,000 from the Fishing Access Acquisition Fund and Access Montana to provide an additional Fishing Access Site (FAS) on the Sun River. The proposed acquisition is approximately 164 acres. A large portion of the site is a reclaimed gravel pit.

The Sun River in this area supports mostly rainbow trout, brown trout, mountain whitefish, and several non-game fish species. FWP, in cooperation with the Sun River Watershed Group, has been actively involved in promoting Sun River fishery and river-flow improvements for about 10 years. The river has the potential to support a much better fishery, and fisheries and recreational resources should eventually improve through the actions of the watershed group.

The FWP Commission and Land Board approved this proposal in May 2005. Title issues, however, emerged and had to be resolved. Those issues are now resolved.

Public Involvement Process & Results: An Environmental Assessment (EA) describing the proposed acquisition was prepared and posted on the FWP website in April 2005. Copies of the EA were mailed to approximately 30 interested individuals and organizations. Legal notices were posted in the Great Falls Tribune and the Helena Independent Record, and a press release was issued to all local newspapers, television statements, and license agents. A news article appeared in the Tribune on May 5, 2005 and a television news story appeared on ABC-5 news in Great Falls on May 19, 2005. The EA comment deadline was May 30, 2005. All comments received were in favor of the acquisition.

Alternatives and Analysis:
No Action – The public would lose an opportunity to increase access to the Sun River. The land may be sold to a private individual for a home-site or sold to another construction company whom may resume gravel mining.
Purchase the land - The Sun River is a floatable stream, but access is poor in several areas. There is no public access between the towns of Sun River and Great Falls (30 river miles). The long-term goal of FWP on the Sun River is to improve the fishery and recreational opportunities by improving river flows.

This addition on the Sun River would be a prime location for hunters, anglers, and recreationists throughout the year. The site could be used as a takeout for anglers, hunters, and floaters, who launch their craft at Medicine River FAS in the town of Sun River, located five to six miles upstream from this proposed site. In addition, the pond could be used by waterfowl hunters, and may have some potential for fishery development.

Agency Recommendation & Rationale: We recommend that the Commission approve the acquisition of the Lewis property by the Department for a Fishing Access site in order to improve access on the Sun River.

Proposed Motion: I move the Commission approve the Department's acquisition of the Lewis property for $235,000 using Fishing Access Acquisition and Access Montana funds.

Montana Fish, Wildlife & Parks

AMENDED DECISION NOTICE
LEWIS PROPERTY ACQUISITION – SUN RIVER
November 5, 2008

Description of the Amended Action:

The Department had initially proposed to acquire approximately 134 acres from the Lewis Construction Company located along the Sun River in Cascade County between the towns of Vaughn and Sun River for a cost of $150,000. Under a revised agreement with the landowner, FWP will purchase a total of 164 acres for a total cost of $235,000. The purpose of the acquisition is to create a new public Fishing Access Site.

Allan Kuser
Fishing Access Program Coordinator
Phone: (406) 458-5923
Email: akuser@mt.gov.

21N1E30
21N1E29
21N1E28
Sun River
Vaughn
21N1E31
21N1E32
21N1E33

CERTIFICATE OF SURVEY

SHEET 3 OF 4

LEGEND

- 1/16TH CORNER POSITION - NO MONUMENT FOUND OR SET
- 1/16TH CORNER POSITION, SET 5/8" X 24" REBAR, WITH 2" ALUMINUM CAP STAMPED AS SHOWN
- WITNESS CORNER OR PROPERTY CORNER - SET 5/8" REBAR, 24" LONG WITH 1-3/4" NYLON CAP STAMPED "STEPHEN D. BABB, P.L.S. MT REG #11696, WITH 18" ORANGE PLASTIC WORASSE MONUMENT MARKER ATTACHED
- POINT OF INTERSECTION, POINT OF CHANGE - NO MONUMENT FOUND OR SET
- FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "M. HENEN 9523LS" PER C/S #2490
- FOUND 1/2" REBAR WITH PLASTIC CAP (M. OR D. HENEN)
- FOUND 5/8" REBAR, NO CAP
- FOUND 5/8" REBAR WITH 2" ALUMINUM CAP (M.D.O.T.)
- EXISTING BARBED WIRE FENCE
- EDGE OF WATER MEANDER LINE OBSERVED AND SURVEYED FEBRUARY 20 & 21, 2008; SEE SURVEYOR'S NOTE
- (R1) RECORD DATA FROM G.L.O. FIELD NOTES AND PLAT DATED SEPTEMBER 4, 1869
- (R2) RECORD DATA FROM G.L.O. FIELD NOTES AND PLAT DATED SEPTEMBER 2, 1871
- (R3) RECORD DATA FROM G.L.O. FIELD NOTES AND PLAT DATED SEPTEMBER 16, 1869
- (R4) RECORD DATA FROM C/S #3376 BY WORTH 4537LS, DATED JANUARY, 1989
- (R5) RECORD DATA FROM C/S #2980 BY M. HENEN 9523LS, RECORDED JANUARY, 2005
- (R6) RECORD DATA FROM REEL 90, DOCUMENT 8966, WARRANTY DEED FROM BRADEN TO LEWIS CONSTRUCTION CO., DATED OCTOBER 31, 1973
- (R7) RECORD DATA FROM C/S #3599 BY M. HENEN 9523LS, RECORDED FEBRUARY 1, 1999
- (R8) RECORD DATA FROM THE PLAT OF "BRADEN TRACTS, CASCADE COUNTY, MONTANA" DATED SEPTEMBER 2, 1958
- (R9) RECORD DATA FROM M.D.O.T. RIGHT-OF-WAY PLANS FOR PROJECT NH 3-1(14)30 F & M.D.O.T. BARGAIN AND SALE DEEDS RECORDED AT REEL 332, DOC. 260 AND REEL 337, DOC. 383
- (R10) RECORD DATA FROM REEL 74, DOC. 386

AREAS

PARCEL	SQUARE FEET	ACRES
1A	824,125	18.919
1B	155,718	3.576
1C	4,234,806	97.218
1D	52,994	1.217
SUBTOTAL	5,267,703	120.930
REMAINDER	1,820,952	41.803
TOTAL	7,088,655	162.733
PARCEL 2	6,178,536	141.840

CURVE TABLE

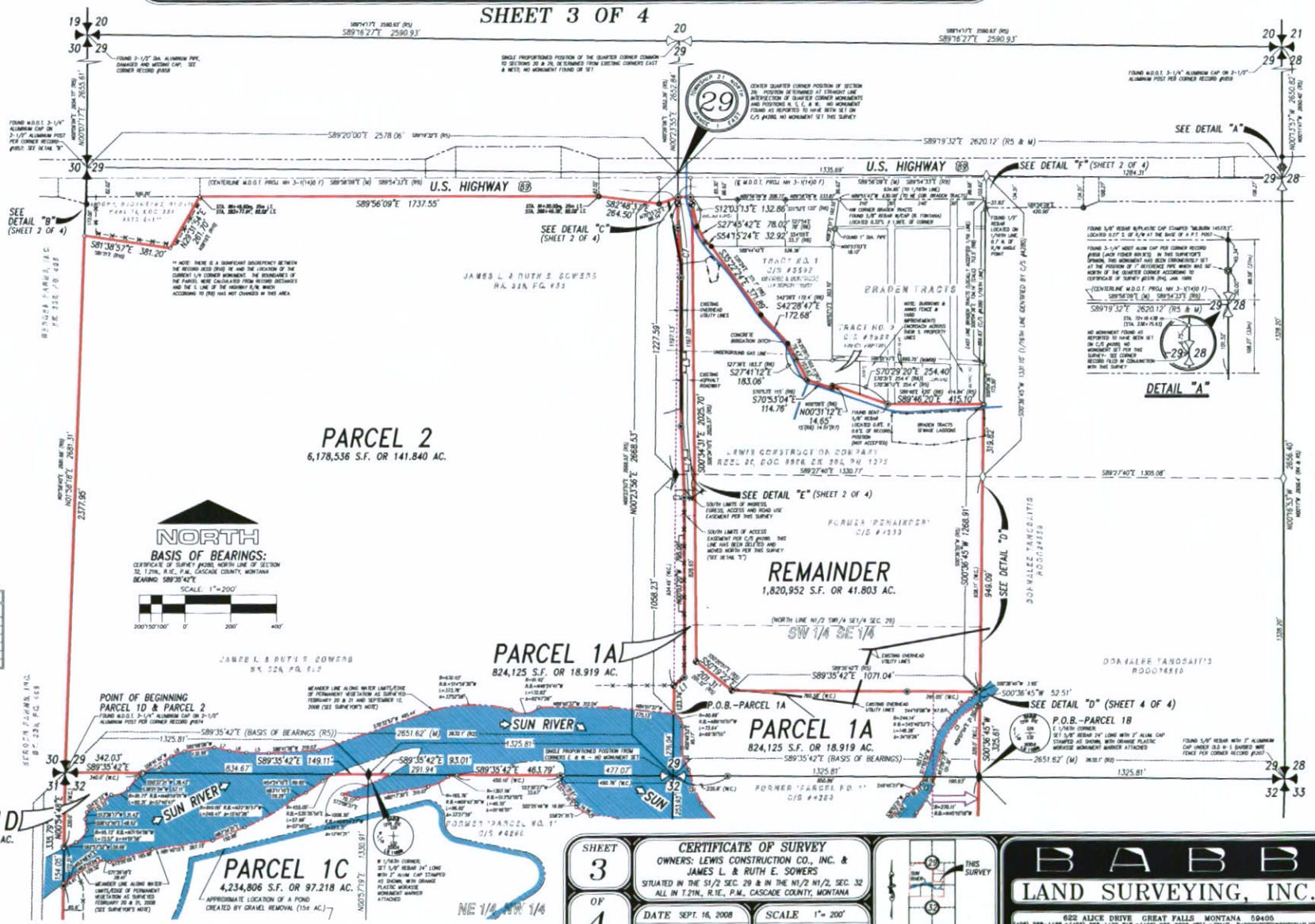
CURVE #	RADIUS	RADIAL BEARING	LENGTH	DELTA
C1	89.25'	N26°42'31"W	85.82'	55°05'42"
C2	84.60'	N16°38'50"W	58.34'	39°50'39"
C3	523.12'	S38°04'33"E	254.85'	45°17'26"
C4	569.71'	S38°32'29"E	83.45'	07°58'23"
C5	730.05'	N83°59'03"E	160.50'	12°35'46"
C6	166.79'	N56°05'27"E	101.13'	34°44'28"
C7	1826.59'	S89°51'31"W	221.49'	06°58'32"

LINE TABLE

LINE #	BEARING	DISTANCE
L1	N59°35'27"E	58.05'
L2	N02°44'27"W	315.93'
L3	N00°08'09"W	658.10'
L4		
L5	N88°46'36"W	98.08'
L6	N83°50'45"W	74.19'
L7	N76°45'33"W	67.87'
L8	S70°02'40"W	60.33'

PRELIMINARY

THIS SURVEY AND PLAT ARE VALID ONLY IF THE PRINT HAS THE ORIGINAL SEAL AND SIGNATURE OF THE LAND SURVEYOR



SHEET	CERTIFICATE OF SURVEY	
3 OF 4	OWNERS: LEWIS CONSTRUCTION CO., INC. & JAMES L. & RUTH E. SOWERS SITUATED IN THE S1/2 SEC. 29 & IN THE N1/2 N1/2, SEC. 32 ALL IN T.21N., R.1E., P.M., CASCADE COUNTY, MONTANA	
	DATE SEPT. 16, 2008	SCALE 1" = 200'
	JOB NO. 0803	DRAWN S. BABB

BABB LAND SURVEYING, INC.
622 ALICE DRIVE GREAT FALLS MONTANA 59405
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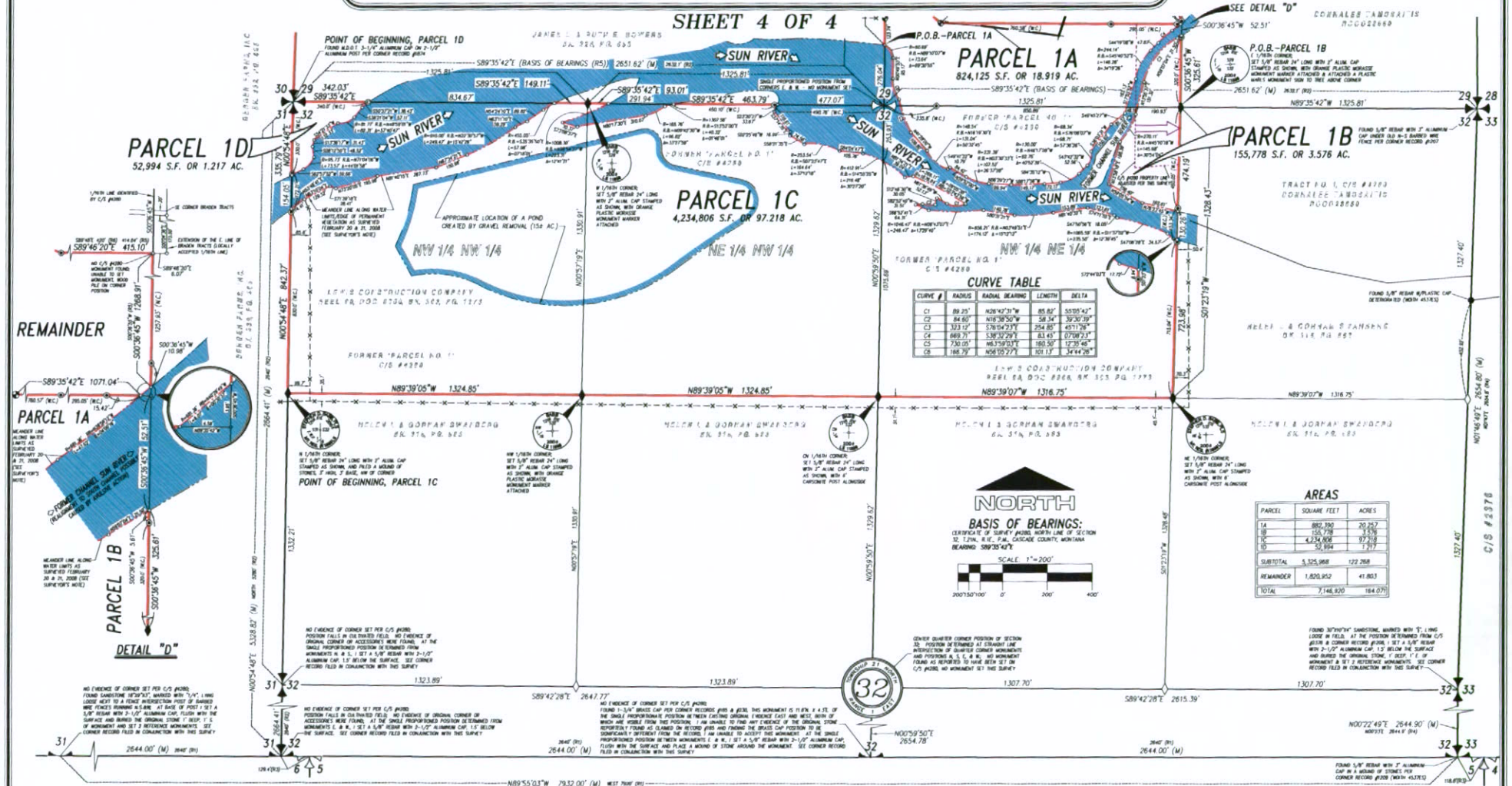
CERTIFICATE OF SURVEY

SHEET 4 OF 4



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AREAS

PARCEL	SQUARE FEET	ACRES
1A	882,390	20.257
1B	155,778	3.576
1C	4,234,806	97.218
1D	52,994	1.217
SUBTOTAL	5,325,968	122.268
REMAINDER	1,820,952	41.803
TOTAL	7,146,920	164.071

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PRELIMINARY

THIS DRAWING WAS PLACED THERE ON THE DATE SHOWN BY THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR

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OF	SITUATED IN THE S1/2 SEC. 29 & IN THE N1/2 N1/2, SEC. 32 ALL IN T.21N., R.1E., P.M., CASCADE COUNTY, MONTANA	
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