

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:** 76H 136846-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** SCHWAB, CHARLES & HELEN LIVING TRUST  
ROGER RAYNAL  
PO BOX 957  
CORVALLIS, MT 59828-0957

DOUBLE FORK LLC  
222 VIA MARNELL WAY  
LAS VEGAS, NV 89119

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

**Priority Date:** APRIL 1, 1906

**Enforceable Priority Date:** APRIL 1, 1906

**Type of Historical Right:** DECREED

**Purpose (use):** STOCK

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Maximum Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** BITTERROOT RIVER

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	5	7N	20W	RAVALLI

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

2		SWSW	5	7N	20W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

3		SWNW	8	7N	20W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** MITCHELL SLOUGH (TUCKER HEADGATE)

4		SWSW	20	7N	20W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** SUPPLY (WOOD-PARKHURST) DITCH

5- SECONDARY		SE	4	7N	20W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** UNION DITCH

6- SECONDARY		SE	4	7N	20W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** WOOD DITCH

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
7- SECONDARY		SESWSW	4	7N	20W	RAVALLI

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** POINT B

8- SECONDARY		NWNENW	9	7N	20W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

9- SECONDARY		NESWNE	16	7N	20W	RAVALLI
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**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** HUMBLE DRAIN

WATER DIVERTED FROM THE BITTERROOT RIVER IS CONVEYED TO MITCHELL SLOUGH (POD# 3) WHICH IS USED AS A NATURAL CARRIER TO SECONDARY POINT(S) OF DIVERSION, DIVERSION NO(S). 7, 6 AND 5.

HUMBLE DRAIN IS USED AS A NATURAL CARRIER TO CONVEY WATER FROM SUPPLY (WOOD-PARKHURST) DITCH TO THE SECONDARY POINT(S) OF DIVERSION, DIVERSION NO(S). 8, 7, 6, AND 5.

WATER FROM SUPPLY (WOOD-PARKHURST) DITCH IS CONVEYED THROUGH POD # 9 INTO HUMBLE DRAIN, THEN ON THROUGH POINT B AND WOOD DITCHES TO THE PLACE OF USE.

POINT OF DIVERSION NO. 8 IS KNOWN AS THE HUMBLE DITCH 1.

POINT OF DIVERSION NO.9 IS JUNCTION OF SUPPLY DITCH AND HUMBLE DRAIN

**Period of Use:** APRIL 15 to OCTOBER 15

**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			S2NE	4	7N	20W	RAVALLI
2			NW	4	7N	20W	RAVALLI
3			NWSE	4	7N	20W	RAVALLI
4			N2SW	4	7N	20W	RAVALLI
5			E2	8	7N	20W	RAVALLI
6			N2NE	9	7N	20W	RAVALLI
7			W2	9	7N	20W	RAVALLI
8			SWSESE	28	8N	20W	RAVALLI
9			S2SWSE	28	8N	20W	RAVALLI
10			S2SESW	28	8N	20W	RAVALLI
11			N2NE	33	8N	20W	RAVALLI
12			SWNE	33	8N	20W	RAVALLI
13			S2	33	8N	20W	RAVALLI

<b>Geocodes/Valid:</b>	13-1565-04-2-01-02-0000 - Y	13-1565-04-2-01-05-0000 - Y
	13-1565-04-2-01-07-0000 - Y	13-1565-04-2-01-11-0000 - Y
	13-1565-05-1-01-04-0000 - Y	13-1565-05-1-01-05-0000 - Y
	13-1565-05-1-01-08-0000 - Y	13-1565-05-1-01-09-0000 - Y
	13-1565-08-1-01-01-0000 - Y	13-1565-09-2-01-02-0000 - Y
	13-1666-28-3-01-01-0000 - Y	13-1666-32-1-01-02-0000 - Y
	13-1666-32-1-01-04-0000 - Y	13-1666-32-1-01-06-0000 - Y
	13-1666-32-1-01-08-0000 - Y	13-1666-32-1-01-09-0000 - Y
	13-1666-32-1-01-10-0000 - Y	13-1666-33-1-01-01-0000 - Y
	13-1666-33-1-01-02-0000 - Y	13-1666-33-1-01-04-0000 - Y
	13-1666-33-1-01-07-0000 - Y	13-1666-33-1-01-08-0000 - Y

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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**Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/07/2002: POINT OF DIVERSION, PLACE OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/20/84.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/19/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/19/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/14/96.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/25/99.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 18560 RECEIVED 12/20/2004.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 1000 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 6034-00, 136836-00, 136846-00.