

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 107842-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: MEI-694, LLC
84 LORENSEN LN
DRUMMOND, MT 59832

CHARLEY J MOODY
PO BOX 1705
HAMILTON, MT 59840

FRANCES A MOODY
PO BOX 1705
HAMILTON, MT 59840

Priority Date: JUNE 1, 1868
Enforceable Priority Date: JUNE 1, 1868

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.37 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 174.00

Source Name: SKALKAHO 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		NENENW	7	5N	20W	RAVALLI

Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: REPUBLICAN DITCH

2- SECONDARY		NWSWSE	6	5N	20W	RAVALLI
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Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

WATER FROM REPUBLICAN DITCH IS CONVEYED THROUGH AN UNNAMED DITCH TO THE PLACE OF USE.

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T05N R20W THE POINT WHERE THE REPUBLICAN DITCH INTERSECTS SKALKAHO CREEK. THIS CLAIM IS PART OF THE SKALKAHO CREEK AND BITTERROOT RIVER WATER EXCHANGE. WATER FROM THE BITTERROOT RIVER IS EXCHANGED FOR WATER FROM SKALKAHO CREEK THAT IS DIVERTED INTO THE SKALKAHO HI LINE (SWSWNE SEC 30 T5N R19W) AND WARD DITCHES (SWSESW SEC 15 T5N R20W). THE EXCHANGED WATER RELATIONSHIP IS DESCRIBED IN - RE THE PETITION FOR ORGANIZATION AND ESTABLISHMENT OF AN IRRIGATION DISTRICT IN RAVALLI COUNTY, TO BE KNOWN AS DALY DITCHES IRRIGATION DISTRICT, FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF RAVALLI, CAUSE NO. DV-82-95, AND 209 MONT. 218 (1984).

Period of Use: MAY 1 to OCTOBER 31

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	65.00		S2NE	1	5N	21W	RAVALLI
2	30.00		SENE	1	5N	21W	RAVALLI
3	18.00		S2NESE	1	5N	21W	RAVALLI
4	38.00		NWSE	1	5N	21W	RAVALLI
5	8.00		NESESE	1	5N	21W	RAVALLI
6	15.00		E2NESW	1	5N	21W	RAVALLI

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>
Total:	174.00						
Geocodes/Valid:		13-1366-01-1-01-17-0000 - Y				13-1366-01-1-01-19-0000 - Y	
		13-1366-01-1-01-21-0000 - 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.

107842-00 211171-00

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.

107842-00 211185-00

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

IMPLIED CLAIM NO. 211171-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 41407 RECEIVED 09/11/2006.

OWNERSHIP UPDATE TYPE 608 # 101898 RECEIVED 07/27/2012.

OWNERSHIP UPDATE TYPE DOR # 139817 RECEIVED 02/23/2016.

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 94.93 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 4105-00, 7308-00, 10123-00, 10124-00, 99849-00, 107842-00, 211173-00, 211185-00.

THE RAVALLI COUNTY WATER RESOURCES SURVEY (1958) APPEARS TO INDICATE 89.23 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 179-116 , DATED 08/02/1979 , APPEARS TO INDICATE 78.49 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.