

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 104632-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** SUSAN C LUTZENHISER  
7010 SE 36TH AVE  
PORTLAND, OR 97202  
  
ROBERT D LUTZENHISER  
567 N BURNT FORK RD  
STEVENSVILLE, MT 59870  
  
LOREN A LUTZENHISER  
7010 SE 36TH AVE  
PORTLAND, OR 97202

**Priority Date:** OCTOBER 1, 1863  
**Enforceable Priority Date:** OCTOBER 1, 1863

**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:** BURNT FORK 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	1	SWNWNW	30	9N	19W	RAVALLI

**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** HEADGATE  
**Ditch Name:** ROCK-WOOD DITCH (HEADGATE 26)

2		SENE	25	9N	20W	RAVALLI
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** HEADGATE  
**Ditch Name:** WOOD DITCH (HEADGATE 27)

**Period of Use:** JANUARY 1 to DECEMBER 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			W2SESE	24	9N	20W	RAVALLI
2			SESWE	24	9N	20W	RAVALLI
3			W2W2NENE	25	9N	20W	RAVALLI

**Geocodes/Valid:** 13-1764-24-4-01-03-0000 - Y      13-1764-24-4-01-04-0000 - Y  
13-1764-25-1-01-06-0000 - 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.

104632-00      104633-00

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

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**Remarks:**

ONE.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 93754 RECEIVED 10/18/2009.

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 160 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 26311-00, 26314-00, 30383-00, 30384-00, 31074-00, 31079-00, 45442-00, 45443-00, 104632-00, 104633-00, 115311-00, 115318-00, 124194-00, 124197-00, 157362-00, 157363-00.