

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 105239-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** GARY L ODELL  
\*\*\*DECEASED\*\*\*  
1141 S 1ST ST  
HAMILTON, MT 59840  
  
ARDITH M ODELL  
1141 S 1ST ST  
HAMILTON, MT 59840  
  
SAMUEL J LAINE  
1135 S FIRST  
HAMILTON, MT 59840  
  
TERESA LAINE  
1135 S FIRST  
HAMILTON, MT 59840

**Priority Date:** JUNE 1, 1865  
**Enforceable Priority Date:** JUNE 1, 1865

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 1.36 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:** 1.00

**Source Name:** SKALKAHO CREEK  
**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</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 1  
**Diversion Means:** HEADGATE  
**Ditch Name:** REPUBLICAN DITCH

2- SECONDARY		NENESW	6	5N	20W	RAVALLI
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**Period of Diversion:** MAY 1 TO OCTOBER 1  
**Diversion Means:** HEADGATE  
**Ditch Name:** NICOL-HART LATERAL

WATER FROM REPUBLICAN DITCH IS CONVEYED THROUGH NICOL-HART LATERAL TO THE PLACE OF USE.

THE POINT OF DIVERSION FOR THIS CLAIM IS NENENW SEC 7 T5N 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 1

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		NENESE	36	6N	21W	RAVALLI	
		<b>Subdivision:</b>	NICOL'S ADD NO 2 TRACT/LOT 12-13 BLOCK: 2					
<b>Total:</b>	1.00							

**Geocodes/Valid:** 13-1467-36-4-02-05-0000 - Y

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**Remarks:**

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 102195 RECEIVED 04/23/2012.

OWNERSHIP UPDATE TYPE DOR # 124939 RECEIVED 08/25/2014.

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 1.5 MINER'S INCHES DECREED IN CASE NO. 2149, RAVALLI COUNTY. 7309-00, 105239-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 610.00 GPM PER ACRE.