

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 147459-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
TONI GRAGG
4659 TATE AVE N
SALEM, OR 97303

SCOTT GRAGG
4659 TATE AVE N
SALEM, OR 97303

Priority Date: JUNE 15, 1864
Enforceable Priority Date: JUNE 15, 1864

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 204.20 GPM

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

Climatic Area: 3 - MODERATE

Maximum Acres: 80.00

Source Name: SOUTH SWAMP 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		NENESE	36	9N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: LANCASTER DITCH

2- SECONDARY		NENESE	36	9N	20W	RAVALLI
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Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: UNNAMED DITCH (HEADGATE 119)

3- SECONDARY		SWNESE	36	9N	20W	RAVALLI
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Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: UNNAMED DITCH (HEADGATE 121)

WATER IS DIVERTED FROM SOUTH SWAMP CREEK THRU THE LANCASTER DITCH TO THE SECONDARY POINTS OF DIVERSION NOS. 2 & 3

Period of Use: APRIL 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	40.00		NWSE	36	9N	20W	RAVALLI
2	40.00		NESW	36	9N	20W	RAVALLI
Total:	80.00						

Geocodes/Valid: 13-1764-36-2-01-03-0000 - Y 13-1764-36-2-01-05-0000 - Y
13-1764-36-2-01-13-0000 - Y 13-1764-36-2-01-14-0000 - Y

Remarks:

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.

147454-00 147455-00 147456-00 147457-00 147458-00 147459-00 147460-00
147461-00 147463-00 147464-00

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.

147458-00 147459-00 147465-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/09/2000.

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 65.2 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 147458-00, 147459-00.

THIS CLAIM APPEARS TO BE DUPLICATED WITHIN 76H-147458, WHICH IS ALSO BASED ON THE 2ND DECREED RIGHT ON SOUTH SWAMP CREEK IN AMENDED CASE NO. 556, RAVALLI COUNTY.