

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 147461-00 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

STANLEY L SWARTZ
291 LOST HORSE RD
HAMILTON, MT 59840

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

Priority Date: JUNE 1, 1883
Enforceable Priority Date: JUNE 1, 1883

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 230.01 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: 138.00

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</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	36	9N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: BROWN-CRONIN-LOGAN DITCH (HEADGATE 117)

2			NENESE	36	9N	20W	RAVALLI
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: LONGBOTTOM DITCH (HEADGATE 114)

3			NENESE	36	9N	20W	RAVALLI
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: LANCASTER DITCH

4			SWSENE	36	9N	20W	RAVALLI
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Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE
Ditch Name: CRONIN DITCH (HEADGATE 116)

5- 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)

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
6- SECONDARY		SWNESE	36	9N	20W	RAVALLI

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: UNNAMED DITCH (HEADGATE 121)

WATER FROM LANCASTER DITCH (POD #4) IS CONVEYED THROUGH TWO UNNAMED DITCHES ORIGINATING AT HEADGATES 119 AND 121 (POD #5 AND #6) TO THE PLACE OF USE.

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	14.00		SENE	36	9N	20W	RAVALLI
2	26.00		SWNE	36	9N	20W	RAVALLI
3	21.00		SENW	36	9N	20W	RAVALLI
4	37.00		NWSE	36	9N	20W	RAVALLI
5	40.00		NESW	36	9N	20W	RAVALLI
Total:	138.00						

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
 13-1764-36-2-01-15-0000 - 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.

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

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/09/2000: MAXIMUM ACRES, PLACE OF USE.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/09/2000.

POINT OF DIVERSION MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED IN CASE NO. 556 , RAVALLI COUNTY, IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.