

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 149001-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
MILDRED L CURTIS
%ROYCE MCCARTY
PO BOX 210
HAMILTON, MT 59840

FRANKLIN R CURTIS
%ROYCE MCCARTY
PO BOX 210
HAMILTON, MT 59840

Priority Date: MAY 22, 1890
Enforceable Priority Date: MAY 22, 1890

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 10.00 GPM

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: 160.00

Source Name: UNNAMED TRIBUTARY OF SKALKAHO CREEK
Source Type: SURFACE WATER

ALSO KNOWN AS SHULLUND #160

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 | | SE | 18 | 5N | 19W | RAVALLI |

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

| | | | | | | |
|---|---|----|----|----|-----|---------|
| 2 | 3 | NW | 18 | 5N | 19W | RAVALLI |
|---|---|----|----|----|-----|---------|

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|------------|------------|------------|------------|---------------|
| 1 | 40.00 | | NE | 18 | 5N | 19W | RAVALLI |
| 2 | 40.00 | 3 | NW | 18 | 5N | 19W | RAVALLI |
| 3 | 40.00 | | SE | 18 | 5N | 19W | RAVALLI |
| 4 | 40.00 | 4 | SW | 18 | 5N | 19W | RAVALLI |

Total: 160.00

Geocodes/Valid: 13-1368-18-1-01-02-0000 - 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.

147877-00 149001-00

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

THE CLAIMED MEANS OF DIVERSION CANNOT BE IDENTIFIED FROM AVAILABLE DATA.
FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

Remarks:

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ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 09/17/2007, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SKALKAHO CREEK RANCH LLC. THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 1 TO OCTOBER 31.

USDA AERIAL PHOTOGRAPH NO(S). 179-148 , DATED 08/02/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CNR-6P-26 , DATED 08/01/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE POINTS OF DIVERSION APPEAR TO BE INCORRECT. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.
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