

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 214450-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE
Late Claim: B

Owners: DOUBLE FORK LLC
222 VIA MARNELL WAY
LAS VEGAS, NV 89119

Priority Date: MARCH 1, 1871

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 03/18/1994 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 9.28 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: 540.00

Source Name: BITTERROOT RIVER

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		SWNWSE	8	7N	20W	RAVALLI

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: MITCHELL SLOUGH (TUCKER HEADGATE)

2- SECONDARY		NENESW	4	7N	20W	RAVALLI
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: ETNA DITCH

WATER DIVERTED FROM THE BITTERROOT RIVER IS CONVEYED TO MITCHELL SLOUGH WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NENESW SEC 4 TWP 7N RGE 20W RAVALLI COUNTY.

Period of Use: APRIL 15 to OCTOBER 15

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	30.00		S2S2SE	28	8N	20W	RAVALLI
2	20.00		S2SESW	28	8N	20W	RAVALLI
3	100.00		NE	33	8N	20W	RAVALLI
4	80.00		E2NW	33	8N	20W	RAVALLI
5	310.00		S2	33	8N	20W	RAVALLI
Total:	540.00						

Geocodes/Valid: 13-1666-28-3-01-01-0000 - Y 13-1666-33-1-01-01-0000 - Y
13-1666-33-1-01-02-0000 - Y 13-1666-33-1-01-05-0000 - Y
13-1666-33-1-01-06-0000 - Y 13-1666-33-1-01-07-0000 - Y
13-1666-33-1-01-08-0000 - 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.

1798-00 136824-00 136827-00 136837-00 136839-00 214450-00 215892-00

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 18560 RECEIVED 12/20/2004.

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 70 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 104912-00, 108748-00, 108749-00, 151574-00, 151581-00, 214450-00.

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 360 MINER'S INCHES DECREED IN CASE NO. 1287, RAVALLI COUNTY. 107708-00, 151574-00, 151581-00, 214450-00.

CLAIM FILED LATE 03/18/1994 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/14/2014, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY BILL & MARILYN STRANGE.

USDA AERIAL PHOTOGRAPH NO. 179-122 , DATED 8/2/1979 APPEARS TO INDICATE 443 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO. CNR-2P-83 , DATED 8/1/1955 APPEARS TO INDICATE 450 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.