

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 147463-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** STANLEY L SWARTZ  
291 LOST HORSE RD  
HAMILTON, MT 59840

TONI GRAGG  
4659 TATE AVE N  
SALEM, OR 97303

SCOTT GRAGG  
4659 TATE AVE N  
SALEM, OR 97303

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

**Priority Date:** MAY 1, 1861

**Enforceable Priority Date:** MAY 1, 1861

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.50 CFS

CASE NO. 556 , RAVALLI COUNTY DECREES THIS RIGHT AS AN UNDIVIDED 1/2 INTEREST IN A SINGLE WATER RIGHT FOR 1.5 CFS.

THE WATER RIGHTS FOLLOWING THIS STATEMENT HAVE AN UNDIVIDED INTEREST IN A SINGLE WATER RIGHT FOR 1.5 CFS AS DECREED IN CASE NO. 556 , RAVALLI COUNTY. 107474-00, 107476-00, 111169-00, 111170-00, 147463-00.

**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:** 41.00

**Source Name:** ROBERTSON 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		SWSWNW	31	9N	19W	RAVALLI

**Period of Diversion:** APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

**Ditch Name:** ROBERTSON DITCH (HEADGATE 88)

**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	22.00		SWNE	36	9N	20W	RAVALLI
3	5.00		SENE	36	9N	20W	RAVALLI
<b>Total:</b>	41.00						

**Geocodes/Valid:** 13-1764-36-2-01-03-0000 - Y      13-1764-36-2-01-15-0000 - 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 FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/09/2000: POINT OF DIVERSION, 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.

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 60 MINER'S INCHES DECREED IN CASE NO. 556, RAVALLI COUNTY. 107474-00, 107476-00, 111169-00, 111170-00, 147463-00.

THE FLOW RATE OF THIS CLAIM MAY BE INCORRECT. THE PARTIES IN THIS UNDIVIDED INTEREST GROUP HAVE CLAIMED DIFFERENT FLOW RATES.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE FOR THE 3RD ROBERTSON CREEK DECREED RIGHT, DESCRIBED AS SENW SEC 36 TWP 9N RGE 20W IN CASE NO. 556 , RAVALLI COUNTY, IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.