

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 147862-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** MARY BUCKALLEW  
77867 COTTONWOOD BEND RD  
HERMISTON, OR 97838

ELLEN CURTIS-MC KERN  
1651 SKALKAHO HWY  
HAMILTON, MT 59840

CASEY A BURNETTE  
2054 SKALKAHO HWY  
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:** MAY 22, 1890

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

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 1.63 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:** 57.00

**Source Name:** SKALKAHO 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	29	5N	19W	RAVALLI

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

**Diversion Means:** HEADGATE

**Ditch Name:** NEWTON DITCH

2		SWSWNE	30	5N	19W	RAVALLI
---	--	--------	----	----	-----	---------

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

**Diversion Means:** HEADGATE

**Ditch Name:** SKALKAHO HIGHLINE DITCH

3		NESENW	30	5N	19W	RAVALLI
---	--	--------	----	----	-----	---------

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

**Diversion Means:** HEADGATE

**Ditch Name:** SHULAND DITCH 2

4		NESWNW	30	5N	19W	RAVALLI
---	--	--------	----	----	-----	---------

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

**Diversion Means:** HEADGATE

**Ditch Name:** SHULAND DITCH 1

**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	5.00		NWNENW	30	5N	19W	RAVALLI
2	6.00		SENENW	30	5N	19W	RAVALLI
3	13.00		W2NENW	30	5N	19W	RAVALLI
4	30.00		NWNW	30	5N	19W	RAVALLI
5	3.00		NESWNW	30	5N	19W	RAVALLI

**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>
<b>Total:</b>	57.00						
<b>Geocodes/Valid:</b>		13-1368-30-1-01-01-0000 - Y				13-1368-30-2-02-01-0000 - Y	
		13-1368-30-2-02-02-0000 - Y				13-1368-30-2-02-03-0000 - 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.

147862-00 147863-00 147868-00

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.

147862-00 147869-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/27/1997: POINT OF DIVERSION, PLACE OF USE, PERIOD OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 9/9/2015.

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 40731 RECEIVED 08/01/2006.

OWNERSHIP UPDATE TYPE DOR # 103137 RECEIVED 07/31/2012.