

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 99782-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners:

CHRIS BARROW
14241 NE WOODINVILLE DUVALL RD STE 211
WOODINVILLE, WA 98072-8564

TRINA BARROW
14241 NE WOODINVILLE DUVALL RD # 211
WOODINVILLE, WA 98072-8564

BRAYDEN DEVRIES
C/O BROOKE DE VRIES
500 W MAIN ST
HAMILTON, MT 59840

CATHERINE M MCWILLIAMS
1555 SKALKAHO HWY
HAMILTON, MT 59840

CHARLES E MCWILLIAMS
1555 SKALKAHO HWY
HAMILTON, MT 59840

SUSAN OBRIEN
1178 JUDD CREEK HOLLOW
HAMILTON, MT 59840

GRETCHEN PARKER
1209 SKALKAHO HWY
HAMILTON, MT 59840-9036

KLIS TRUST 9/15/2016
% MILLER, KYLE & LISA TRUSTEES
330 LLWYDS LN
VERO BEACH, FL 32963-3253

MEISENBACH, JOHN W REVOCABLE TRUST
JOHN W MEISENBACH, TRUSTEE
1383 SKALKAHO HWY
HAMILTON, MT 59840-9047

SKALKAHO HOLDINGS LLC
1559 SUNSHINE LN
SOUTHLAKE, TX 76092-4611

Priority Date: MARCH 1, 1881

Enforceable Priority Date: MARCH 1, 1881

Type of Historical Right: DECREED

Purpose (Use): STOCK

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Maximum Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

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		SWSWNE	30	5N	19W	RAVALLI
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	HEADGATE					
Ditch Name:	SKALKAHO HIGHLINE DITCH					
2		NENE	25	5N	20W	RAVALLI
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		SWSWSE	24	5N	20W	RAVALLI
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		S2SW	24	5N	20W	RAVALLI
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		NWSW	24	5N	20W	RAVALLI
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6		N2NESE	23	5N	20W	RAVALLI
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
7		SWSENE	23	5N	20W	RAVALLI
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
8		SESWNE	23	5N	20W	RAVALLI
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
9		SWSWNE	30	5N	19W	RAVALLI
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
Period of Use:	JANUARY 1 to DECEMBER 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			SENE	23	5N	20W	RAVALLI
2			NENE	25	5N	20W	RAVALLI
3			SWSWSE	24	5N	20W	RAVALLI
4			S2SW	24	5N	20W	RAVALLI
5			NWSW	24	5N	20W	RAVALLI
6			N2NESE	23	5N	20W	RAVALLI
7			SWSENE	23	5N	20W	RAVALLI
8			SESWNE	23	5N	20W	RAVALLI
9			SWSWNE	30	5N	19W	RAVALLI

A PORTION OF THE PLACE OF USE FOR THIS RIGHT IS INCLUDED IN THE DALY DITCHES IRRIGATION DISTRICT.

A PORTION OF THE PLACE OF USE FOR THIS RIGHT IS NOT INCLUDED IN THE DALY DITCHES IRRIGATION DISTRICT.

SEE CLAIM FILE AND PLACE OF USE FOR PARCELS INCLUDED AND NOT INCLUDED WITHIN DALY DITCHES.

Geocodes/Valid:	13-1367-23-1-01-11-0000 - Y	13-1367-23-3-01-03-0000 - Y
	13-1367-23-3-01-13-0000 - Y	13-1367-24-3-01-01-0000 - Y
	13-1367-24-3-01-04-0000 - Y	13-1367-24-3-01-05-0000 - Y
	13-1367-24-3-01-06-0000 - Y	13-1367-24-3-01-07-0000 - Y
	13-1367-24-3-01-08-0000 - Y	13-1367-25-1-01-02-0000 - Y
	13-1367-25-1-01-04-0000 - 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.

99770-00 99782-00

THIS PORTION OF THE WATER RIGHT IS NOT CURRENTLY PART OF THE SKALKAHO CREEK EXCHANGE ("SWAP") WHERE WATER HISTORICALLY DIVERTED FROM SKALKAHO CREEK IS EXCHANGED FOR WATER DIVERTED FROM THE BITTERROOT RIVER. DALY DITCHES HAS THE RIGHT TO DIVERT ITS SKALKAHO CREEK DECREED RIGHTS AND THE SKALKAHO CREEK EXCHANGE RIGHTS THROUGH ANY OF ITS DIVERSIONS FROM SKALKAHO CREEK. THIS PORTION OF THE WATER RIGHT HAS NO RIGHT TO DIVERT WATER THROUGH ANY DIVERSION OR DITCH OWNED BY DALY DITCHES IRRIGATION DISTRICT AS PER DISTRICT COURT ORDER CASE NO. DV-82-95. IF THE OWNER(S) OF THIS PARCEL AND PORTION OF THE WATER RIGHT BECOME MEMBER(S) OF THE DISTRICT THIS PORTION OF THE RIGHT WILL BE ASSOCIATED AND USED IN CONJUNCTION WITH WATER RIGHT 76H 30147048. WATER RIGHT 76H 30147048 LISTS THE EXCHANGE DIVERSIONS WHICH ARE OWNED EXCLUSIVELY BY DALY DITCHES IRRIGATION DISTRICT: REPUBLICAN DITCH; HEDGE DITCH; SKALKAHO HILINE DITCH; HUGHES DITCH; WARD DITCH; REESER DITCH; THOMPSON DITCH.

THIS PORTION OF THE WATER RIGHT IS PART OF THE SKALKAHO CREEK EXCHANGE ("SWAP") WHERE WATER HISTORICALLY DIVERTED FROM SKALKAHO CREEK IS EXCHANGED FOR WATER DIVERTED FROM THE BITTERROOT RIVER. DALY DITCHES HAS THE RIGHT TO DIVERT ITS SKALKAHO CREEK DECREED RIGHTS AND THE SKALKAHO CREEK EXCHANGE RIGHTS THROUGH ANY OF ITS DIVERSIONS FROM SKALKAHO CREEK. THIS WATER RIGHT IS PART OF THE SKALKAHO EXCHANGE RIGHTS AND USED IN CONJUNCTION WITH DALY DITCHES IRRIGATION DISTRICT WATER RIGHT 76H 30147048 AND CANNOT BE DIVERTED AND USED SEPARATE FROM WATER RIGHT 76H 30147048. THE EXCHANGE WATER IS DIVERTED AND MANAGED BY DALY DITCHES IRRIGATION DISTRICT UNDER WATER RIGHT 76H 30147048. WATER RIGHT 76H 30147048 LISTS THE EXCHANGE DIVERSIONS WHICH ARE OWNED AND OPERATED EXCLUSIVELY BY DALY DITCHES IRRIGATION DISTRICT AS PER DISTRICT COURT ORDER CAUSE NO. DV-82-95. THE DIVERSIONS INCLUDE THE FOLLOWING DITCHES: REPUBLICAN DITCH; HEDGE DITCH; SKALKAHO HILINE DITCH; HUGHES DITCH; WARD DITCH; REESER DITCH, THOMPSON DITCH.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/27/1998.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 8/20/1990.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 21526 RECEIVED 05/18/2005.

OWNERSHIP UPDATE TYPE DOR # 107816 RECEIVED 12/26/2012.

OWNERSHIP UPDATE TYPE DOR # 110132 RECEIVED 02/19/2013.

OWNERSHIP UPDATE TYPE DOR # 142474 RECEIVED 05/02/2016.

OWNERSHIP UPDATE TYPE DOR # 151221 RECEIVED 10/14/2016.

OWNERSHIP UPDATE TYPE DOR # 158307 RECEIVED 02/02/2017.

OWNERSHIP UPDATE TYPE DOR # 169313 RECEIVED 05/24/2017.

OWNERSHIP UPDATE TYPE DOR # 169316 RECEIVED 05/24/2017.

OWNERSHIP UPDATE TYPE 608 # 177417 RECEIVED 07/11/2018.

OWNERSHIP UPDATE TYPE DOR # 201354 RECEIVED 12/29/2019.

OWNERSHIP UPDATE TYPE 608 # 218331 RECEIVED 05/14/2021.

OWNERSHIP UPDATE TYPE 608 # 220175 RECEIVED 06/22/2021.

OWNERSHIP UPDATE TYPE 608 # 235650 RECEIVED 05/05/2022.

OWNERSHIP UPDATE TYPE 608 # 237983 RECEIVED 06/30/2022.

OWNERSHIP UPDATE TYPE 608 # 238171 RECEIVED 06/30/2022.

OWNERSHIP UPDATE TYPE 608 # 265701 RECEIVED 08/05/2024.

OWNERSHIP UPDATE TYPE 608 # 266003 RECEIVED 10/01/2024.

OWNERSHIP UPDATE TYPE 608 # 269028 RECEIVED 12/27/2024.