

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 107787-00 STATEMENT OF CLAIM
Version: 2 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

Owners: SOUTH BURNT FORK CREEK LLC
888 S BURNT FORK RD
STEVENSVILLE, MT 59870

Priority Date: DECEMBER 31, 1896

Enforceable Priority Date: DECEMBER 31, 1896

Purpose (use): IRRIGATION
FISHERY

Irrigation Type: FLOOD

Maximum Flow Rate: 2.00 CFS

Historical Flow Rate: 2.00 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 - MODERATE

Historical Diverted Volume: 385.00 AC-FT

Historical Consumptive Volume: 97.80 AC-FT

Maximum Acres: 66.50

Source Name: UNNAMED TRIBUTARY OF ROBERTSON CREEK

Source Type: GROUNDWATER

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF ROBERTSON CREEK

Source Type: SURFACE WATER

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		NWNW	5	8N	19W	RAVALLI

Period of Diversion: MAY 1 TO SEPTEMBER 15

Source Name: UNNAMED TRIBUTARY OF ROBERTSON CREEK

Diversion Means: DITCH

2		NENE	6	8N	19W	RAVALLI
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Period of Diversion: MAY 1 TO SEPTEMBER 15

Source Name: UNNAMED TRIBUTARY OF ROBERTSON CREEK

Diversion Means: DITCH

3		S2SW	32	9N	19W	RAVALLI
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Period of Diversion: MAY 1 TO SEPTEMBER 15

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF ROBERTSON CREEK

Diversion Means: DITCH

Reservoir: OFF STREAM **Reservoir Name** BITTERROOT

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSWSW	32	9N	19W	RAVALLI

Diversion to Reservoir: DIVERSION # 2

Depth: 8.00 FEET

Surface Area: 1.24 ACRES

Current Capacity: 5.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** SAPPHIRE WEST

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESWSW	32	9N	19W	RAVALLI

Diversion to Reservoir: DIVERSION # 2

Depth: 8.00 FEET
Surface Area: 0.62 ACRES

Current Capacity: 2.50 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** SAPPHIRE MIDDLE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSESW	32	9N	19W	RAVALLI

Diversion to Reservoir: DIVERSION # 2

Depth: 8.00 FEET
Surface Area: 0.40 ACRES

Current Capacity: 1.60 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** SAPPHIRE EAST

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSESW	32	9N	19W	RAVALLI

Diversion to Reservoir: DIVERSION # 2

Depth: 8.00 FEET
Surface Area: 0.50 ACRES

Current Capacity: 2.00 ACRE-FEET

Period of Use: MAY 1 to SEPTEMBER 15
JANUARY 1 to DECEMBER 31

Purpose (Use): IRRIGATION

Period of Use: MAY 1 to SEPTEMBER 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	66.50		S2SW	32	9N	19W	RAVALLI

Total: 66.50

Purpose (Use): FISHERY

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			S2SW	32	9N	19W	RAVALLI

Geocodes/Valid: 13-1765-32-1-01-09-0000 - Y

Remarks:

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

THE APPROPRIATOR SHALL INSTALL THREE CONCRETE CHECK STRUTURES IN THE DIVERSION DITCH TO CONTROL THE FLOW OF WATER DIVERTED FOR IRRIGATION AND FISHERIES PURPOSES. THE APPROPRIATOR SHALL ALSO INSTALL 1-FOOT PARSHALL FLUMES AT THE INLET DITCH FOR EACH POND SERIES AND IN POND OUTLET DITCHES WHERE WATER IS DIVERTED FOR THE PURPOSE OF IRRIGATION OR RECHARGE TO ROBERTSON AND SAPIEL CREEKS. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICES ARE IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATES AND VOLUMES OF ALL WATER DIVERTED INCLUDING THE PERIOD OF USE. RECORDS SHALL BE SUBMITTED TO THE DEPARTMENT BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICES SO THEY ALWAYS OPERATE PROPERLY AND MEASURE FLOW RATES AND VOLUMES ACCURATELY

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 58005 RECEIVED 05/01/2008.
OWNERSHIP UPDATE TYPE DOR # 107007 RECEIVED 09/26/2012.
OWNERSHIP UPDATE TYPE DOR # 126299 RECEIVED 08/26/2014.