

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 107789-00 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:** 310.00 AC-FT

**Historical Consumptive Volume:** 78.70 AC-FT

**Maximum Acres:** 51.50

**Source Name:** UNNAMED TRIBUTARY OF ROBERTSON CREEK  
**Source Type:** GROUNDWATER

THE SOURCE IS WATER COLLECTED ALONG THE LENGTH OF DITCH WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

**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		NWNW	5	8N	19W	RAVALLI

**Period of Diversion:** MAY 1 TO SEPTEMBER 15  
**Diversion Means:** DITCH

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

**Reservoir:** OFF STREAM **Reservoir Name** HOUSE WEST  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
NWNWNE 6 8N 19W RAVALLI

**Diversion to Reservoir:** DIVERSION # 2  
**Depth:** 8.00 FEET  
**Surface Area:** 0.70 ACRES  
**Current Capacity:** 2.80 ACRE-FEET

**Reservoir:** OFF STREAM **Reservoir Name** HOUSE MIDDLE  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
NENWNE 6 8N 19W RAVALLI

**Diversion to Reservoir:** DIVERSION # 2  
**Depth:** 8.00 FEET  
**Surface Area:** 0.50 ACRES  
**Current Capacity:** 2.00 ACRE-FEET

**Reservoir:** OFF STREAM **Reservoir Name** HOUSE EAST

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NENWNE	6	8N	19W	RAVALLI

**Diversion to Reservoir:** DIVERSION # 2

**Depth:** 8.00 FEET

**Surface Area:** 0.60 ACRES

**Current Capacity:** 2.40 ACRE-FEET

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

**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	47.50		N2NE	6	8N	19W	RAVALLI
4	4.00		NENENW	6	8N	19W	RAVALLI
<b>Total:</b>	51.50						

**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			N2NWNE	6	8N	19W	RAVALLI

**Geocodes/Valid:** 13-1667-06-1-01-01-0000 - 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.