

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 150241-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: YARBOROUGH FAMILY TRUST
LINDA E YARBOROUGH, TRUSTEE
1535 BRUIN LOOP
HAYDEN, ID 83835

BURNING DAYLIGHT RANCH LLC
402 FISH HATCHERY RD
HAMILTON, MT 59840-9021

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

Priority Date: OCTOBER 31, 1968

Enforceable Priority Date: OCTOBER 31, 1968

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 112.50 AC-FT

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 33.00

Source Name: UNNAMED TRIBUTARY OF BITTERROOT RIVER

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		SENWSW	4	5N	20W	RAVALLI

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SENWSW	4	5N	20W	RAVALLI

Diversion to Reservoir: DIVERSION # 1

Dam Height: 18.00 FEET

Depth: 15.00 FEET

Surface Area: 4.00 ACRES

Current Capacity: 24.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: MAY 1 to OCTOBER 1

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	11.00		NESW	4	5N	20W	RAVALLI
2	13.00		NWSW	4	5N	20W	RAVALLI
3	3.00		SESW	4	5N	20W	RAVALLI
4	6.00		SWSW	4	5N	20W	RAVALLI
Total:	33.00						

Geocodes/Valid: 13-1367-04-2-01-19-0000 - Y 13-1367-04-3-01-12-0000 - Y

Remarks:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/13/1995.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 40019 RECEIVED 07/13/2006.

Remarks:

OWNERSHIP UPDATE TYPE 608 # 46379 RECEIVED 05/24/2007.

OWNERSHIP UPDATE TYPE DOR # 83672 RECEIVED 09/13/2010.

OWNERSHIP UPDATE TYPE DOR # 107270 RECEIVED 11/08/2012.

OWNERSHIP UPDATE TYPE DOR # 107861 RECEIVED 12/28/2012.

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 4.7 TIMES THE CAPACITY OF THE RESERVOIR.