

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: 41B 88360-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: STEPHEN B BURKE
PO BOX 1395
ENNIS, MT 59729-1395

GRETCHEN H BURKE
PO BOX 1395
ENNIS, MT 59729-1395

LANE K JARVIS
PO BOX 1252
DILLON, MT 59725-1252

WENDY JARVIS
PO BOX 1252
DILLON, MT 59725-1252

RANDALL H BOWE
750 RIVER BIRCH LN
DILLON, MT 59725-8203

IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

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

Priority Date: APRIL 30, 1873
Enforceable Priority Date: APRIL 30, 1873

THE PRIORITY DATE FOR THIS WATER RIGHT HAS BEEN CHANGED TO APRIL 30, 1873. CASE NO. 828, BEAVERHEAD COUNTY, DECREED APRIL 31, 1873, AS THE ACTUAL DATE.

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.40 CFS

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

THIS WATER RIGHT IS SUBJECT TO CERTAIN CURTAILMENT PROVISIONS AS DETAILED IN THE 1958 CONTRACT (NO. 14-06-600-3592) BETWEEN THE UNITED STATES (BOR) AND THE CLARK CANYON WATER SUPPLY COMPANY. A COPY OF THE CONTRACT IS AVAILABLE FROM THE DNRC HELENA WATER RESOURCES REGIONAL OFFICE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 309.00

Source Name: BEAVERHEAD 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		SE	4	7S	8W	BEAVERHEAD

Period of Diversion: MARCH 1 TO NOVEMBER 1

Diversion Means: HEADGATE

Ditch Name: HAYDEN DITCH

Period of Use: MARCH 1 to NOVEMBER 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	40.00		SE	28	6S	8W	BEAVERHEAD
2	7.00		SW	28	6S	8W	BEAVERHEAD
3	23.00		NE	28	6S	8W	BEAVERHEAD

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>
4	21.00		NWSE	28	6S	8W	BEAVERHEAD
5	31.00		SWSE	28	6S	8W	BEAVERHEAD
6	1.00		SESESW	28	6S	8W	BEAVERHEAD
7	22.00		NWNE	33	6S	8W	BEAVERHEAD
8	6.00		NWSENE	33	6S	8W	BEAVERHEAD
9	13.00		NENW	33	6S	8W	BEAVERHEAD
10	31.00		SENEW	33	6S	8W	BEAVERHEAD
11	40.00		NESW	33	6S	8W	BEAVERHEAD
12	20.00		NWSW	33	6S	8W	BEAVERHEAD
13	37.00		SESW	33	6S	8W	BEAVERHEAD
14	17.00		SWSW	33	6S	8W	BEAVERHEAD
Total:	309.00						

Geocodes/Valid: 18-0415-28-4-03-01-0000 - Y 18-0415-33-1-01-10-0000 - Y
18-0415-33-3-01-01-0000 - 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.

88347-00 88348-00 88360-00 88361-00 88362-00 88363-00 196540-00

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 04/24/1996.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/21/2002. BEAVERHEAD LLC - 100% TO LANE & WENDY JARVIS (PARCEL 1 - 23.95%), JOHN WRIGHT (PARCEL 2 - 35.28%), CW SWENSON INC (PARCEL 3 - 40.78%)

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/29/2002. CW SWENSON INC TO TERRANCE MC CLINCH - 100% OF PARCEL 3.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/13/2007. OWNERSHIP UPDATE ID #48457. TERRANCE MC CLINCH TO CIRCLE 3 LAND & CATTLE LLC - 100% OF PARCEL 3.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/1994.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 4841 RECEIVED 03/21/2002.

OWNERSHIP UPDATE TYPE 608 # 4850 RECEIVED 04/29/2002.

OWNERSHIP UPDATE TYPE 608 # 13333 RECEIVED 01/29/2004.

OWNERSHIP UPDATE TYPE 608 # 48457 RECEIVED 08/13/2007.

OWNERSHIP UPDATE TYPE DOR # 93886 RECEIVED 11/21/2011.

OWNERSHIP UPDATE TYPE DOR # 133935 RECEIVED 06/25/2015.