

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 88887-00 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

**Priority Date:** MAY 1, 1872  
**Enforceable Priority Date:** MAY 1, 1872

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** SPRINKLER

**Maximum Flow Rate:** 10.00 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

**Maximum Acres:** 934.80

**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		SWNENW	4	7S	8W	BEAVERHEAD

**Period of Diversion:** MAY 1 TO AUGUST 1  
**Diversion Means:** HEADGATE  
**Ditch Name:** HAYSTACK DITCH NO. 2

2		SWSENW	4	7S	8W	BEAVERHEAD
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**Period of Diversion:** MAY 1 TO AUGUST 1  
**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to AUGUST 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	125.50		NE	26	6S	8W	BEAVERHEAD
2	130.00		W2	26	6S	8W	BEAVERHEAD
3	160.00		NE	27	6S	8W	BEAVERHEAD
4	62.50		NW	27	6S	8W	BEAVERHEAD
5	160.00		SE	27	6S	8W	BEAVERHEAD
6	140.70		SW	27	6S	8W	BEAVERHEAD
7	119.80		NW	34	6S	8W	BEAVERHEAD
8	29.00		SE	34	6S	8W	BEAVERHEAD
9	7.30		SW	34	6S	8W	BEAVERHEAD
<b>Total:</b>	<b>934.80</b>						

**Geocodes/Valid:** 18-0415-26-2-02-01-0000 - Y      18-0415-27-1-01-01-0000 - Y  
18-0415-34-1-01-01-0000 - Y      18-0415-34-1-01-02-0000 - Y  
18-0415-34-2-01-01-0000 - Y

**Remarks:**

**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.

88887-00      88888-00      88889-00      88890-00      88891-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/2010: PLACE OF USE, POINTS OF DIVERSION, MAXIMUM ACRES, SOURCE NAME.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 09/27/2010.

CLAIMANT CONTACTED BY DECEMBER 29, 1982 LETTER TO PROPERLY NOTARIZE CLAIM - NO RESPONSE WAS RECEIVED

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/14/1988.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/13/1988.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/30/1990.

**OWNERSHIP UPDATE RECEIVED**

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

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

OWNERSHIP UPDATE TYPE DOR # 97574 RECEIVED 11/21/2011.

CLAIM FORM NOT NOTARIZED.