

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 100324-00 PROVISIONAL PERMIT
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: APRIL 24, 1997 at 09:52 A.M.
Enforceable Priority Date: APRIL 24, 1997 at 09:52 A.M.

Purpose (use): IRRIGATION
Maximum Flow Rate: 125.00 GPM
Maximum Volume: 50.00 AC-FT
Maximum Acres: 18.20

Source Name: GROUNDWATER
Source Type: GROUNDWATER

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		NWSENE	34	6S	8W	BEAVERHEAD

Period of Diversion: APRIL 15 TO OCTOBER 15
Diversion Means: WELL
Well Depth: 120.00 FEET
Static Water Level: 5.00 FEET
Casing Diameter: 8.00 INCHES
Pump Size: 7.50 HP

Purpose (Use): IRRIGATION
Irrigation Type: SPRINKLER
Volume: 50.00 AC-FT
Period of Use: APRIL 15 to OCTOBER 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	18.20		NE	34	6S	8W	BEAVERHEAD

Total: 18.20

Geocodes/Valid: 18-0415-34-2-01-01-0000 - Y

Remarks:

GROUNDWATER WASTE & CONTAMINATION

THIS RIGHT IS SUBJECT TO SECTION 85-2-505, MCA, REQUIRING A WELL BE CONSTRUCTED SO IT WILL NOT ALLOW WATER TO BE WASTED OR CONTAMINATE OTHER WATER SUPPLIES OR SOURCES, AND A FLOWING WELL MUST BE CAPPED OR EQUIPPED SO THE FLOW OF THE WATER MAY BE STOPPED WHEN NOT BEING PUT TO BENEFICIAL USE.

GROUNDWATER WELL - ACCESS PORT

THE FINAL COMPLETION OF THE WELL(S) MUST INCLUDE AN ACCESS PORT OF AT LEAST .50 INCH SO THE STATIC LEVEL OF THE WELL MAY BE ACCURATELY MEASURED.

REISSUED RIGHT

THE RIGHT ISSUED ON 01/15/1998 WAS REISSUED. THE RIGHT WAS REISSUED BECAUSE INCORRECT LEGAL LAND DESCRIPTIONS FOR THE PLACE OF USE AND POINT OF DIVERSION.

WATER MEASUREMENT-INLINE FLOW METER REQUIRED

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER AT A POINT IN THE DELIVERY LINE APPROVED BY THE DEPARTMENT TO RECORD THE FLOW RATE AND VOLUME OF WATER DIVERTED. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP MONTHLY WRITTEN RECORDS OF THE FLOW RATE AND VOLUME MEASUREMENTS AND SHALL

Remarks:

SUBMIT THE RECORDS BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OR MODIFICATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE. CONTACT THE REGIONAL OFFICE FOR THE CURRENT ADDRESS. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE ACCURATELY. HELENA - PH: 406-444-6999 FAX: 406-444-9317

LIABILITY WAIVER

THE ISSUANCE OF THIS RIGHT BY THE DEPARTMENT SHALL NOT REDUCE THE APPROPRIATOR'S LIABILITY FOR DAMAGES CAUSED BY THE APPROPRIATOR'S EXERCISE OF THIS RIGHT. NOR DOES THE DEPARTMENT IN ISSUING THE RIGHT IN ANY WAY ACKNOWLEDGE LIABILITY FOR DAMAGE CAUSED BY THE APPROPRIATOR'S EXERCISE OF THIS RIGHT.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 47716 RECEIVED 07/09/2007.
OWNERSHIP UPDATE TYPE 608 # 69338 RECEIVED 12/10/2009.
OWNERSHIP UPDATE TYPE DOR # 93886 RECEIVED 11/21/2011.