

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 88889-00 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

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

Priority Date: APRIL 1, 1870

Enforceable Priority Date: APRIL 1, 1870

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 9.00 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: 3 - MODERATE

Maximum Acres: 934.80

Source Name: STODDEN SLOUGH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	27	6S	8W	BEAVERHEAD

Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

2		SWSWSE	27	6S	8W	BEAVERHEAD
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Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

3		NWSENE	34	6S	8W	BEAVERHEAD
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Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

4		SWSENE	34	6S	8W	BEAVERHEAD
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Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: BALL DITCH

5		NESWSW	34	6S	8W	BEAVERHEAD
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Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: CARTER SLOUGH DITCH

6		SWNWNW	3	7S	8W	BEAVERHEAD
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Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
7		NESWSE	4	7S	8W	BEAVERHEAD

Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: BURFIEND-DAVIS DITCH

Period of Use: APRIL 15 to OCTOBER 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	130.00		W2	26	6S	8W	BEAVERHEAD
2	160.00		NE	27	6S	8W	BEAVERHEAD
3	62.50		NW	27	6S	8W	BEAVERHEAD
4	160.00		SE	27	6S	8W	BEAVERHEAD
5	140.70		SW	27	6S	8W	BEAVERHEAD
6	125.50		NE	34	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
Total:	934.80						

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:

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 10/08/1993: POINT OF DIVERSION, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/29/2010: POINTS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

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

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/30/1990.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/14/1988.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/13/1988.

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.