

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:** 43B 194781-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** BURNS, ARTHUR L JR & CATHERINE L TRUST  
154 ELBOW CREEK RD  
LIVINGSTON, MT 59047

NORTH FORK LLC  
C/O BARRY KLEIN  
1281 E MAIN  
STAMFORD, CT 06902-3544

360 HOLDINGS LLC  
1281 E MAIN ST  
STAMFORD, CT 06902-8409

SOUTH FORK LLC  
% DKR CAPITAL INC  
1281 E MAIN ST, 3RD FLOOR  
STAMFORD, CT 06902-3565

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

**Priority Date:** JUNE 4, 1963

**Enforceable Priority Date:** JUNE 4, 1963

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 2.75 CFS

**Maximum Volume:** 825.00 AC-FT

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 421.00

**Source Name:** MILL CREEK

**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	2	6S	9E	PARK

**Period of Diversion:** APRIL 20 TO SEPTEMBER 24

**Diversion Means:** HEADGATE

**Ditch Name:** NORTH SIDE DITCH

DITCH NAME: NORTHSIDE DITCH

**Period of Use:** APRIL 20 to SEPTEMBER 24

**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		E2SE	33	5S	9E	PARK
2	85.00		NE	33	5S	9E	PARK
3	146.00		SE	28	5S	9E	PARK
4	150.00		W2	22	5S	9E	PARK
<b>Total:</b>	421.00						

**Geocodes/Valid:** 49-0520-22-2-01-01-0000 - Y 49-0520-22-3-01-01-0000 - Y

49-0520-28-4-01-05-0000 - Y 49-0520-33-1-01-01-0000 - Y

49-0520-33-2-40-10-0000 - Y 49-0520-33-4-20-20-0000 - Y

49-0520-33-4-20-30-0000 - Y 49-0520-34-3-01-01-0000 - Y

**Remarks:**

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**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.

194774-00 194775-00 194776-00 194777-00 194778-00 194779-00 194780-00  
194781-00 194782-00 194783-00 194784-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/15/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/05/91.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/20/91.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/05/00.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 10731 RECEIVED 09/29/2003.

OWNERSHIP UPDATE TYPE 608 # 17894 RECEIVED 11/18/2004.

OWNERSHIP UPDATE TYPE 608 # 60153 RECEIVED 06/26/2008.

OWNERSHIP UPDATE TYPE 608 # 60154 RECEIVED 06/26/2008.

OWNERSHIP UPDATE TYPE DOR # 100790 RECEIVED 03/12/2010.