

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 88891-00 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: MAY 15, 1879

Enforceable Priority Date: MAY 15, 1879

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER

Maximum Flow Rate: 4.17 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: 584.30

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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWSE	4	7S	8W	BEAVERHEAD

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: BURFIEND-DAVIS DITCH

Period of Use: APRIL 15 to OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	130.00			W2	26	6S	8W	BEAVERHEAD
2	271.00			E2	27	6S	8W	BEAVERHEAD
3	147.00			N2	34	6S	8W	BEAVERHEAD
4	29.00			SE	34	6S	8W	BEAVERHEAD
5	7.30			SW	34	6S	8W	BEAVERHEAD
Total:	584.30							

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 01/29/2010: PLACE OF USE, MAXIMUM ACRES.

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.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 500 MINER'S INCHES DECREED IN CASE NO. 1053, BEAVERHEAD COUNTY. 41B 27436-00, 41B 49966-00, 41B 88082-00, 41B 88412-00, 41B 88416-00, 41B 88751-00, 41B 88752-00, 41B 88891-00, 41B 88926-00, 41B 128105-00, 41B 132612-00.