

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 143052-00 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

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: MAY 1, 1876

Enforceable Priority Date: MAY 1, 1876

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 7.20 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 365.20

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		NENESE	28	6S	8W	BEAVERHEAD

Period of Diversion: APRIL 1 TO NOVEMBER 15

Diversion Means: HEADGATE

Ditch Name: SELWAY DITCH

Period of Use: APRIL 1 to NOVEMBER 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	83.90		SE	21	6S	8W	BEAVERHEAD
2	227.40			22	6S	8W	BEAVERHEAD
3	53.90		N2NE	28	6S	8W	BEAVERHEAD
Total:	365.20						

Geocodes/Valid: 18-0415-21-4-01-01-0000 - Y 18-0415-22-2-01-01-0000 - Y
18-0415-22-2-01-05-0000 - Y 18-0415-22-2-02-01-0000 - Y
18-0415-27-1-01-01-0000 - Y

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/18/2001: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/2010: 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 06/19/2003. SHULTZ TO MC CLINCH - SPLIT - MC CLINCH RECEIVES 36 ACRES IN THE N2NE OF SEC 28.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/19/2001.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 9687 RECEIVED 06/19/2003.

Remarks:

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

OWNERSHIP UPDATE TYPE DOR # 93886 RECEIVED 11/21/2011.

OWNERSHIP UPDATE TYPE DOR # 120529 RECEIVED 04/15/2014.

USDA AERIAL PHOTOGRAPH NO. 579-137 , DATED 09/13/1979 APPEARS TO INDICATE 298 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). 2FF-118 , DATED 07/31/1965 , APPEARS TO INDICATE 268 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.