

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 88362-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE  
**Version Status:** ACTIVE

**Owners:** STEPHEN B BURKE  
PO BOX 1395  
ENNIS, MT 59729-1395  
  
GRETCHEN H BURKE  
PO BOX 1395  
ENNIS, MT 59729-1395  
  
LANE K JARVIS  
PO BOX 1252  
DILLON, MT 59725-1252  
  
WENDY JARVIS  
PO BOX 1252  
DILLON, MT 59725-1252  
  
RANDALL H BOWE  
750 RIVER BIRCH LN  
DILLON, MT 59725-8203  
  
IT APPEARS THE OWNER IS A SHAREHOLDER IN THE CLARK CANYON WATER SUPPLY COMPANY.

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

**Priority Date:** APRIL 1, 1900  
**Enforceable Priority Date:** APRIL 1, 1900

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 2.50 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:** 4 - MODERATELY LOW

**Maximum Acres:** 309.00

**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		SENNW	4	7S	8W	BEAVERHEAD

**Period of Diversion:** MARCH 1 TO NOVEMBER 1

**Diversion Means:** HEADGATE

**Ditch Name:** HAYDEN DITCH

**Period of Use:** MARCH 1 to NOVEMBER 1

**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		SENE	28	6S	8W	BEAVERHEAD
2	7.00		SWNE	28	6S	8W	BEAVERHEAD
3	23.00		NESE	28	6S	8W	BEAVERHEAD
4	21.00		NWSE	28	6S	8W	BEAVERHEAD
5	31.00		SWSE	28	6S	8W	BEAVERHEAD

**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>
6	1.00		SESESW	28	6S	8W	BEAVERHEAD
7	22.00		NWNE	33	6S	8W	BEAVERHEAD
8	6.00		NWSENE	33	6S	8W	BEAVERHEAD
9	13.00		NENW	33	6S	8W	BEAVERHEAD
10	31.00		SENE	33	6S	8W	BEAVERHEAD
11	40.00		NESW	33	6S	8W	BEAVERHEAD
12	20.00		NWSW	33	6S	8W	BEAVERHEAD
13	37.00		SESW	33	6S	8W	BEAVERHEAD
14	17.00		SWSW	33	6S	8W	BEAVERHEAD
<b>Total:</b>	309.00						

**Geocodes/Valid:** 18-0415-28-4-03-01-0000 - Y      18-0415-33-1-01-10-0000 - Y  
18-0415-33-3-01-01-0000 - 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.

88347-00    88348-00    88360-00    88361-00    88362-00    88363-00    196540-00

THE TYPE OF RIGHT WAS AMENDED BY THE CLAIMANT ON 05/07/1996.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 04/24/1996.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/21/2002. BEAVERHEAD LLC - 100% TO LANE & WENDY JARVIS (PARCEL 1 - 23.95%), JOHN WRIGHT (PARCEL 2 - 35.28%), CW SWENSON INC (PARCEL 3 - 40.78%)

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/29/2002. CW SWENSON INC TO TERRANCE MC CLINCH - 100% OF PARCEL 3.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/13/2007. OWNERSHIP UPDATE ID #48457. TERRANCE MC CLINCH TO CIRCLE 3 LAND & CATTLE LLC - 100% OF PARCEL 3.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/1994.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 4841 RECEIVED 03/21/2002.

OWNERSHIP UPDATE TYPE 608 # 4850 RECEIVED 04/29/2002.

OWNERSHIP UPDATE TYPE 608 # 13333 RECEIVED 01/29/2004.

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

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

OWNERSHIP UPDATE TYPE DOR # 133935 RECEIVED 06/25/2015.