

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 88888-00 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 1, 1867  
**Enforceable Priority Date:** MAY 1, 1867

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 5.00 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
<b>Period of Diversion:</b> APRIL 5 TO OCTOBER 31						
<b>Diversion Means:</b> HEADGATE						
2			SWSWSE	27	6S	8W BEAVERHEAD
<b>Period of Diversion:</b> APRIL 5 TO OCTOBER 31						
<b>Diversion Means:</b> HEADGATE						
3			NWSENE	34	6S	8W BEAVERHEAD
<b>Period of Diversion:</b> APRIL 5 TO OCTOBER 31						
<b>Diversion Means:</b> HEADGATE						
4			SWSENE	34	6S	8W BEAVERHEAD
<b>Period of Diversion:</b> APRIL 5 TO OCTOBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> BALL DITCH						
5			NESENE	34	6S	8W BEAVERHEAD
<b>Period of Diversion:</b> APRIL 5 TO OCTOBER 31						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CARTER SLOUGH DITCH						
6			SWNESE	3	7S	8W BEAVERHEAD
<b>Period of Diversion:</b> APRIL 5 TO OCTOBER 31						
<b>Diversion Means:</b> HEADGATE						

**Period of Use:** APRIL 5 to OCTOBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</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
<b>Total:</b>	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 01/20/2010: POINTS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, SOURCE NAME.

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 06/13/1988.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/30/1990.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/14/1988.

**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.