

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: 76H 2081-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE

Version Status: ACTIVE

Owners: BURNT FORK ENTERPRISE LLC
599 POPHAM LN
CORVALLIS, MT 59828-9511

Priority Date: APRIL 10, 1881

Enforceable Priority Date: APRIL 10, 1881

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 112.20 GPM

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

Climatic Area: 3 - MODERATE

Maximum Acres: 80.00

Source Name: BURNT FORK CREEK

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		SWNESW	3	8N	19W	RAVALLI

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

2- SECONDARY NENENE 5 8N 19W RAVALLI

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

3- SECONDARY SESENE 26 9N 20W RAVALLI

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

NORTH BURNT FORK CREEK, MILL FORK CREEK (MILL CREEK) AND NORTH SWAMP CREEK (SAPIEL CREEK) ARE USED AS NATURAL CARRIERS OF WATER FROM BURNT FORK CREEK TO DIVERSION NO. 3

THE HISTORIC POINT OF DIVERSION OF NORTH SWAMP CREEK FROM MILL FORK CREEK IS IN THE NENENE SECTION 5 T8N R19W (DIVERSION NO. 2).

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>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		E2SE	26	9N	20W	RAVALLI

Total: 80.00

DEED IN CLAIM FILE SEVERS SEVEN EIGHTHS OF THIS WATER RIGHT FROM ITS DECREED HISTORIC PLACE OF USE.

Geocodes/Valid: 13-1764-26-4-01-12-0000 - Y

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/86.

OWNERSHIP UPDATE RECEIVED

- OWNERSHIP UPDATE TYPE 608 # 1044 RECEIVED 02/13/2002.
- OWNERSHIP UPDATE TYPE 608 # 36884 RECEIVED 05/04/2006.
- OWNERSHIP UPDATE TYPE 608 # 37273 RECEIVED 05/15/2006.
- OWNERSHIP UPDATE TYPE 608 # 201565 RECEIVED 02/18/2020.

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: 76H 2082-00 STATEMENT OF CLAIM

Version: 2 – POST DECREE

Version Status: ACTIVE

Owners: BURNT FORK ENTERPRISE LLC
599 POPHAM LN
CORVALLIS, MT 59828-9511

Priority Date: JUNE 1, 1868

Enforceable Priority Date: JUNE 1, 1868

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 98.17 GPM

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

Climatic Area: 3 - MODERATE

Maximum Acres: 80.00

Source Name: NORTH SWAMP CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SAPIEL CREEK

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		SE	SE	26	9N	20W	RAVALLI

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

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>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		E	SE	26	9N	20W

Total: 80.00

DEED IN CLAIM FILE SEVERS SEVEN EIGHTHS OF THIS WATER RIGHT FROM ITS DECREED HISTORIC PLACE OF USE.

Geocodes/Valid: 13-1764-26-4-01-12-0000 - 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.

2081-00 2082-00 105005-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/86.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 1044 RECEIVED 02/13/2002.
OWNERSHIP UPDATE TYPE 608 # 36884 RECEIVED 05/04/2006.
OWNERSHIP UPDATE TYPE 608 # 37273 RECEIVED 05/15/2006.
OWNERSHIP UPDATE TYPE 608 # 201565 RECEIVED 02/18/2020.

ADJ



UPDATE TO FILE



DNRC - STATEMENT OF CLAIM



*76H *



2081



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Current File Location: **NEW STORAGE**

As of : 9/11/2017

Status: **At Iron Mountain**

Box Bar Code: **MRM00132438**

File Bar Code:

3/3/2020

764-2081-00

STATE OF MONTANA RAVALLI COUNTY Page: 1 of 3

DOCUMENT: 740152 WARRANTY DEED

RECORDED: 1/31/2020 1:42:57 PM

Regina Plettenberg, CLERK AND RECORDER

Fee \$21.00 By



Deputy

AND WHEN RECORDED MAIL TO:

Burnt Fork Enterprise, LLC

874 Garber Lane

Corvallis, MT 59829

Filed for Record at Request of:

First American Title Company

Space Above This Line for Recorder's Use Only

Order No.: 865379-R

Parcel No.: 336100

WARRANTY DEED

FOR VALUE RECEIVED,

Ellison Development, LLC a Montana limited liability company

hereinafter called Grantor(s), do(es) hereby grant, bargain, sell and convey unto

Burnt Fork Enterprise LLC

whose address is: **874 Garber Lane, Corvallis, MT 59829**

Hereinafter called the Grantee, the following described premises situated in **Ravalli County, Montana,** to-wit:

The N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 9 North, Range 20 West, P.M.M. Ravalli County, Montana and being more particularly described as Tract 1 Certificate of Survey No. 495033-TR.

EXCEPTING AND RESERVING THEREFROM THE PLAT OF CREEKSIDE MEADOWS PHASE 1 RECORDED JULY 24, 2003 AS INSTRUMENT NO. 519639.

SUBJECT TO covenants, conditions, restrictions, provisions, easements and encumbrances apparent or of record.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

