

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:** 43A 138008-00 STATEMENT OF CLAIM  
**Version:** 2 -- CHANGE AUTHORIZATION  
**Version Status:** ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

**Owners:**  
GAY W JUHNKE  
19 W GRANNIS  
LIVINGSTON, MT 59047  
  
RICHARD D JUHNKE  
19 W GRANNIS  
LIVINGSTON, MT 59047  
  
DANIEL DINSDALE  
458 HWY 89 N  
LIVINGSTON, MT 59047  
  
DAWN E PIPOLO  
25 SHIELDS RIVER RD  
LIVINGSTON, MT 59047  
  
BARBARA C SCOFIELD  
548 US HIGHWAY 89 N  
LIVINGSTON, MT 59047-9306  
  
TED R SCOFIELD  
548 US HIGHWAY 89 N  
LIVINGSTON, MT 59047-9306  
  
LYNN P CRAWFORD  
PO BOX 1159  
LIVINGSTON, MT 59047-1159  
  
EDWARD WADDELL  
PO BOX 424  
LIVINGSTON, MT 59047  
  
OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS AFTER FINAL DECREE UPON REQUEST OF THE OWNERS.

**Priority Date:** JUNE 1, 1880  
**Enforceable Priority Date:** JUNE 1, 1880

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

**Maximum Flow Rate:** 6.00 CFS  
**Historical Flow Rate:** 6.00 CFS

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.  
**Climatic Area:** 3 - MODERATE

**Historical Diverted Volume:** 615.00 AC-FT

**Maximum Acres:** 117.00

**Source Name:** SHIELDS RIVER  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

ID                      Govt Lot                      Qtr Sec                      Sec                      Twp                      Rge                      County

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	9	1S	10E	PARK

**Period of Diversion:** MAY 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** GRANNIS DITCH

**Period of Use:** MAY 15 to OCTOBER 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	74.00		E2	9	1S	10E	PARK
2	5.00		E2E2NW	9	1S	10E	PARK
3	8.00		S2SE	9	1S	10E	PARK
4	4.00		N2N2NE	16	1S	10E	PARK
5	26.00		W2NE	16	1S	10E	PARK
<b>Total:</b>	117.00						

**Geocodes/Valid:** -- NO VALID GEOCODES --

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME OTHER.

68926-00    68927-00    138008-00

THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS.

THIS WATER RIGHT IS SUBJECT TO THE FINAL ORDER

THIS RIGHT IS SUBJECT TO A PRIVATE AGREEMENT CONCERNING THE DISTRIBUTION OF THE FLOW RATE IN THE STIPULATION FILED 11/22/2000. THE STIPULATION IS LOCATED IN THE CLAIM FILE.

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

THE APPROPRIATOR SHALL INSTALL A SUITABLE HEADGATE OR DIVERSION STRUCTURE AT THE POINT THE WATER IS DIVERTED FROM THE SOURCE OF SUPPLY.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/11/1990.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/15/1988.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/10/1984.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/04/1991.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/19/1999.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/16/1999.

BASED ON THE PARTIES' STIPULATION, OWNERSHIP OF THE WATER RIGHT WAS CHANGED BY ORDER OF THE WATER COURT DURING ADJUDICATION OF THE TEMPORARY PRELIMINARY DECREE.

THERE IS A PRIVATE AGREEMENT BETWEEN INDIVIDUALS WHICH HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED BY THIS DEPARTMENT.

THE APPROPRIATOR SHALL INSTALL AN ADEQUATE WATER FLOW MEASURING DEVICE, AT A SUITABLE PLACE AS NEAR AS PRACTICABLE TO THE POINT WHERE THE WATER IS DIVERTED FROM THE SOURCE OF SUPPLY IN ORDER TO RECORD THE FLOW RATE AND VOLUME OF WATER DIVERTED. THE APPROPRIATOR SHALL KEEP A WRITTEN RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF TIME AND SHALL SUBMIT SAID RECORDS TO THE DEPARTMENT UPON REQUEST.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 511 RECEIVED 10/15/2001.

OWNERSHIP UPDATE TYPE 608 # 136158 RECEIVED 07/27/2015.