

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 116538-00 PROVISIONAL PERMIT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** LOWER SHIELDS RIVER CANAL CO  
ROBERT F EYMAN  
9 TOBIN CREEK RD  
LIVINGSTON, MT 59047

**Priority Date:** AUGUST 14, 2001 at 11:30 A.M.

**Enforceable Priority Date:** AUGUST 14, 2001 at 11:30 A.M.

**Purpose (use):** IRRIGATION

**Maximum Flow Rate:** 2.00 CFS

**Maximum Volume:** 623.00 AC-FT

**Source Name:** CHICKEN CREEK

**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		SE	24	1N	9E	PARK

**Period of Diversion:** MAY 1 TO OCTOBER 4

**Diversion Means:** PIPELINE

THE DIVERSION STRUCTURE SHALL INCORPORATE A FLUME TO PASS CHICKEN CREEK FLOWS UNDER THE LOWER SHIELDS RIVER CANAL UNIMPEDED.

DIVERSION SHALL INCORPORATE A GATE VALVE TO CONTROL FLOW INTO THE PIPELINE. THE PIPELINE SHALL BE DESIGNED SO AS TO LIMIT ITS CAPACITY TO 2 CFS OF FLOW.

**Purpose (Use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD/FURROW

**Volume:**

**Period of Use:** MAY 1 to OCTOBER 4

**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	171.00			24	1N	10E	PARK
2	168.00			13	1N	10E	PARK
3	92.00			19	1N	10E	PARK
4	280.00			29	1N	10E	PARK
5	16.00			30	1N	10E	PARK
6	362.00			33	1N	10E	PARK
7	58.00			32	1N	10E	PARK
8	142.00			4	1S	10E	PARK
9	113.00			3	1S	10E	PARK
10	297.00			10	1S	10E	PARK
11	26.00			9	1S	10E	PARK

**Total:** 1,725.00

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

**Remarks:**

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**Remarks:**

**DECREED STREAM - COMMISSIONER**

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.

**IMPORTANT INFORMATION**

THIS RIGHT IS SUBJECT TO THE DEPARTMENT OF FISH, WILDLIFE AND PARKS' (MDFWP) WATER RESERVATION FOR INSTREAM FLOW. WHEN THE FLOW OF THE SHIELDS RIVER FALLS BELOW THE GRANTED RESERVATION, THE APPROPRIATOR SHALL CEASE DIVERTING WATER IMMEDIATELY UPON NOTIFICATION BY THE MDFWP. FLOW INFORMATION FOR THE SHIELDS RIVER AT ITS MOUTH CAN BE ACCESSED VIA THE INTERNET AT [HTTP://MT.WATERDATA.USGS.GOV/NWIS/CURRENT?TYPE=FLOW](http://MT.WATERDATA.USGS.GOV/NWIS/CURRENT?TYPE=FLOW) THEN SELECT GAUGE #06195600. THE MDFWP RESERVED AMOUNTS ARE IDENTIFIED ON EXHIBIT A TO THIS PERMIT.