

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 117118-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
MATTHEW B LEVERS  
138 DAISY DEAN RD  
WILLSALL, MT 59086-9402  
  
JOHN G SESSOMS  
PO BOX 348  
WILLSALL, MT 59086  
  
STANLEY W LEVERS  
138 DAISY DEAN RD  
WILLSALL, MT 59086-9402

**Priority Date:** APRIL 14, 1961  
**Enforceable Priority Date:** APRIL 14, 1961

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD  
**Maximum Flow Rate:** 6.39 CFS  
**Maximum Volume:** 1,941.19 AC-FT  
**Climatic Area:** 4 - MODERATELY LOW  
**Maximum Acres:** 123.00

**Source Name:** SHIELDS 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	15		4	4N	9E	PARK

**Period of Diversion:** MARCH 1 TO NOVEMBER 30  
**Diversion Means:** HEADGATE  
**Ditch Name:** BIG CANAL

2		NWSWSE	20	4N	9E	PARK
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**Period of Diversion:** MARCH 1 TO NOVEMBER 30  
**Diversion Means:** HEADGATE

DITCH NAME FOR DIVERSION NO. 01 IS: SHIELDS RIVER RANCH CO CANAL

**Reservoir:** OFF STREAM  

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NW	17	4N	9E	PARK

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** MARCH 1 to NOVEMBER 30  
RIGHT IS LIMITED TO HIGH OR FLOOD WATERS OF THE SHIELDS RIVER.

**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	123.00		E2E2	7	3N	9E	PARK

**Total:** 123.00

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

**Remarks:**

**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.

117107-00 117108-00 117109-00 117118-00 117119-00 117120-00 117121-00  
117122-00 117123-00 117125-00 117126-00 117128-00 117129-00 117130-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/26/90.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 145600 RECEIVED 07/08/2016.

THIS CLAIM PRESENTS ISSUES OF FACT AND LAW THAT MAY BE ADDRESSED AT THE OBJECTION STAGE. THERE MAY BE PROBLEMS WITH THE VOLUME AND FLOW RATE. TO ASSURE THE ORDERLY ADJUDICATION OF WATER RIGHTS, THE WATER COURT WILL SET A HEARING TO DETERMINE THESE ISSUES IF NO OBJECTIONS ARE MADE.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.