

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:** 43B 194340-00 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:**

DARLENE MANN  
29 O'REA CREEK RD  
LIVINGSTON, MT 59047

JON MANN  
29 O'REA CREEK RD  
LIVINGSTON, MT 59047

KENNETH B HAKE  
1585 E RIVER RD  
LIVINGSTON, MT 59047

JOSIF GREZLOVSKI  
17945 SW 83 CT  
PALMETTO BAY, FL 33157

VIKTORIA GREZLOVSKI  
17945 SW 83 CT  
PALMETTO BAY, FL 33157

DONALD P STRONG  
412 FLESHMAN CREEK RD  
LIVINGSTON, MT 59047-1536

SHAWNA M STRONG  
PO BOX 851  
LIVINGSTON, MT 59047

PATRICIA C STRONG  
412 FLESHMAN CREEK RD  
LIVINGSTON, MT 59047-1536

H WESLEY STRONG  
PO BOX 851  
LIVINGSTON, MT 59047

GREGORY D STRONG  
518 N 3RD  
LIVINGSTON, MT 59047

EVELYN M STRONG  
PO BOX 851  
LIVINGSTON, MT 59047

SARA KATHERINE HOWE  
73 CHICORY RD  
LIVINGSTON, MT 59047

BEYOND YELLOWSTONE HOMEOWNERS ASSN  
% CHARLES G DUFFY  
21 SHOOTING STAR TRAIL  
GARDINER, MT 59030

GERALD F PETRICH  
345 MILL CREEK RD  
LIVINGSTON, MT 59047-8711

EUNICE A PETRICH  
345 MILL CREEK RD  
LIVINGSTON, MT 59047-8711

DONALD S MCLARTY  
85 CHICORY RD  
LIVINGSTON, MT 59047-8704

MARGARITA MCLARTY  
85 CHICORY RD  
LIVINGSTON, MT 59047-8704

KWD ASSOCIATES LC  
19 W 620 S  
OREM, UT 84058

**Priority Date:** JUNE 1, 1908  
**Enforceable Priority Date:** JUNE 1, 1908  
**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD  
**Maximum Flow Rate:** 1.80 CFS  
**Maximum Volume:** 854.95 AC-FT  
**Climatic Area:** 4 - MODERATELY LOW  
**Maximum Acres:** 190.50  
**Source Name:** MILL 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		NESWNE	3	6S	9E	PARK

**Period of Diversion:** APRIL 15 TO OCTOBER 19  
**Diversion Means:** HEADGATE  
**Ditch Name:** UPLAND DITCH

2		SENWSW	2	6S	9E	PARK
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**Period of Diversion:** APRIL 15 TO OCTOBER 19  
**Diversion Means:** HEADGATE  
**Ditch Name:** PIPE LINE AND DITCH

**Period of Use:** APRIL 15 to OCTOBER 19

**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	7.00		NWNENW	18	5S	9E	PARK
2	7.00		SWNENW	18	5S	9E	PARK
3	9.00		SENENW	18	5S	9E	PARK
4	8.00		NENENW	18	5S	9E	PARK
5	6.00		NENWNW	18	5S	9E	PARK
6	2.00		NWNWNW	18	5S	9E	PARK
7	7.50		SENWNW	18	5S	9E	PARK
8	7.50		NESWNW	18	5S	9E	PARK
9	4.50		SESWNW	18	5S	9E	PARK
10	10.00		NESENW	18	5S	9E	PARK
11	10.00		NWSENW	18	5S	9E	PARK
12	10.00		SWSENW	18	5S	9E	PARK
13	8.50		SESENW	18	5S	9E	PARK
16	6.50		SENWNE	18	5S	9E	PARK
17	10.00		NESWNE	18	5S	9E	PARK
18	8.00		NWSWNE	18	5S	9E	PARK
19	9.50		SWSWNE	18	5S	9E	PARK
20	10.00		SESWNE	18	5S	9E	PARK
21	9.50		NESESE	12	5S	8E	PARK
22	7.50		NWSESE	12	5S	8E	PARK
23	8.00		SWSESE	12	5S	8E	PARK
24	9.50		SESESE	12	5S	8E	PARK
25	15.00		W2NWNW	18	5S	8E	PARK

**Total:** 190.50

**Geocodes/Valid:** 49-0519-12-4-01-01-0000 - Y      49-0519-12-4-02-01-0000 - Y  
49-0519-12-4-10-01-0000 - Y      49-0519-12-4-14-01-0000 - Y  
49-0519-12-4-16-01-0000 - Y      49-0519-12-4-18-01-0000 - Y  
49-0519-12-4-20-01-0000 - Y      49-0520-18-1-01-01-0000 - Y

49-0520-18-1-01-13-0000 - Y	49-0520-18-1-10-05-0000 - Y
49-0520-18-2-01-05-0000 - Y	49-0520-18-2-01-10-0000 - Y
49-0520-18-2-01-12-0000 - Y	49-0520-18-2-01-15-0000 - Y
49-0520-18-2-01-20-0000 - Y	49-0520-18-2-01-23-0000 - Y
49-0520-18-2-01-25-0000 - Y	49-0520-18-2-01-28-0000 - Y
49-0520-18-2-01-30-0000 - Y	49-0520-18-2-01-35-0000 - Y
49-0520-18-2-10-01-0000 - Y	49-0520-18-2-10-05-0000 - Y
49-0520-18-2-10-10-0000 - Y	49-0520-18-2-10-20-0000 - Y
49-0520-18-2-10-30-0000 - Y	49-0520-18-2-12-01-0000 - Y
49-0520-18-2-12-05-0000 - Y	

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**Remarks:**

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.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 543 RECEIVED 10/17/2001.  
OWNERSHIP UPDATE TYPE 608 # 544 RECEIVED 10/17/2001.  
OWNERSHIP UPDATE TYPE 608 # 4577 RECEIVED 09/06/2002.  
OWNERSHIP UPDATE TYPE 608 # 12374 RECEIVED 10/16/2003.  
OWNERSHIP UPDATE TYPE 608 # 14521 RECEIVED 06/03/2004.  
OWNERSHIP UPDATE TYPE 608 # 19130 RECEIVED 12/08/2004.  
OWNERSHIP UPDATE TYPE 608 # 41243 RECEIVED 08/29/2006.  
OWNERSHIP UPDATE TYPE 608 # 51116 RECEIVED 11/19/2007.  
OWNERSHIP UPDATE TYPE 608 # 103821 RECEIVED 05/19/2011.  
OWNERSHIP UPDATE TYPE 608 # 103823 RECEIVED 08/09/2012.  
OWNERSHIP UPDATE TYPE DOR # 133903 RECEIVED 08/11/2015.