

**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 185836-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
GAIL K ANDERSON  
1067 US HWY 89 N  
LIVINGSTON, MT 59047-9340  
  
PEHR D ANDERSON  
HAYHOOK RANCH  
1067 HWY 89 N  
LIVINGSTON, MT 59047-9340

**Priority Date:** JULY 31, 1921  
**Enforceable Priority Date:** JULY 31, 1921

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 5.00 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

**Maximum Acres:** 555.00

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

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	14	1N	9E	PARK

**Period of Diversion:** APRIL 1 TO NOVEMBER 4  
**Diversion Means:** HEADGATE

2		SE	14	1N	9E	PARK
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**Period of Diversion:** APRIL 1 TO NOVEMBER 4  
**Diversion Means:** PUMP

3		W2NW	24	1N	9E	PARK
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**Period of Diversion:** APRIL 1 TO NOVEMBER 4  
**Diversion Means:** PUMP

4		NWSESE	32	1N	10E	PARK
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**Period of Diversion:** APRIL 1 TO NOVEMBER 4  
**Diversion Means:** HEADGATE

5		N2	32	1N	10E	PARK
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**Period of Diversion:** APRIL 1 TO NOVEMBER 4  
**Diversion Means:** PUMP

**Period of Use:** APRIL 1 to NOVEMBER 4

**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	55.00		SE	14	1N	9E	PARK
2	170.00			23	1N	9E	PARK
3	60.00		W2NW	24	1N	9E	PARK
4	35.00		NW	4	1S	10E	PARK
5	25.00		NE	5	1S	10E	PARK
6	25.00		E2NE	31	1N	10E	PARK
7	185.00			32	1N	10E	PARK
<b>Total:</b>	<b>555.00</b>						

**Geocodes/Valid:** 49-1015-24-2-01-01-0000 - 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.

185774-00	185775-00	185776-00	185777-00	185779-00	185780-00	185781-00
185786-00	185806-00	185807-00	185808-00	185809-00	185810-00	185811-00
185814-00	185817-00	185819-00	185820-00	185823-00	185824-00	185826-00
185827-00	185829-00	185830-00	185832-00	185833-00	185834-00	185835-00
185836-00	185837-00					

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THESE CLAIMS SHALL NOT EXCEED THE 200.0 MINER'S INCHES AS DECREED IN CASE NO. 2717. AT THIS TIME THE COURT MAKES NO DETERMINATION OF CORRECT PREDECESSORS IN INTEREST OR THE CORRECT DIVISION OF THIS WATER AMONG CLAIMANTS. W035335-00, W185836-00.

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

POINT OF DIVERSION NO. 1 IS ON CANYON CREEK. POINTS OF DIVERSION NO. 2, NO. 3 AND NO. 5 ARE TRANSITORY ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

THIS CLAIM PRESENTS ISSUES OF FACT AND LAW THAT MAY BE ADDRESSED AT THE OBJECTION STAGE. IT APPEARS THAT 490.0 ACRES ARE ACTUALLY IRRIGATED AND PROBLEMS COULD EXIST WITH FLOW RATE AND VOLUME. TO ASSURE THE ORDERLY ADMINISTRATION OF WATER RIGHTS, THE WATER COURTS WILL SET A HEARING TO DETERMINE THESE ISSUES IF NO OBJECTIONS ARE MADE.