

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:** 41A 40007-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE  
**Version Status:** ACTIVE

**Owners:** DAVID E SCHUETT  
2955 CARRIGAN LN  
DILLON, MT 59725-8542  
  
SHELLI SCHUETT  
2955 CARRIGAN LN  
DILLON, MT 59725-8542  
  
DUFFNER RANCHES  
19001 S VALLEY RD  
LIMA, MT 59739-9729

**Priority Date:** JUNE 30, 1888  
**Enforceable Priority Date:** JUNE 30, 1888

**Type of Historical Right:** FILED

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

**Maximum Flow Rate:** 15.00 CFS  
PRIMARILY A DIRECT FLOW SYSTEM; FLOW RATE RETAINED.

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.  
PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED.

**Climatic Area:** 5 - LOW

**Maximum Acres:** 978.00

**Source Name:** WINSLOW CREEK  
**Source Type:** SURFACE WATER  
ALSO KNOWN AS MUD CREEK

**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		NWSESW	16	14S	3W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** DAM

2		SESWSW	16	14S	3W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** DAM

3		SWNENW	21	14S	3W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** DAM

4		SESWSE	21	14S	3W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** DAM

5		NWSENW	27	14S	3W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** HEADGATE

WATER DIVERTED FROM WINSLOW CREEK IS CONVEYED TO TIPTON CREEK (ALSO KNOWN AS LITTLE CREEK) WHICH IS USED AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

**Reservoir:** ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESWSE	21	14S	3W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 4

**Dam Height:** 13.00 FEET

**Depth:** 10.00 FEET  
**Surface Area:** 1.00 ACRES  
**Current Capacity:** 4.00 ACRE-FEET

**Reservoir:** ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNENW	21	14S	3W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 3

**Dam Height:** 13.00 FEET  
**Depth:** 10.00 FEET  
**Surface Area:** 1.00 ACRES  
**Current Capacity:** 4.00 ACRE-FEET

**Reservoir:** ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSESW	16	14S	3W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 13.00 FEET  
**Depth:** 10.00 FEET  
**Surface Area:** 0.25 ACRES  
**Current Capacity:** 1.00 ACRE-FEET

**Reservoir:** ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESWSW	16	14S	3W	BEAVERHEAD

**Diversion to Reservoir:** DIVERSION # 2

**Dam Height:** 13.00 FEET  
**Depth:** 10.00 FEET  
**Surface Area:** 1.00 ACRES  
**Current Capacity:** 4.00 ACRE-FEET

**Period of Use:** APRIL 15 to OCTOBER 31

**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	40.00		SWSW	15	14S	3W	BEAVERHEAD
2	200.00		S2	16	14S	3W	BEAVERHEAD
3	490.00			21	14S	3W	BEAVERHEAD
4	230.00		W2	22	14S	3W	BEAVERHEAD
5	9.00		NWNWNW	27	14S	3W	BEAVERHEAD
6	9.00		NENENE	28	14S	3W	BEAVERHEAD
<b>Total:</b>	<b>978.00</b>						

<b>Geocodes/Valid:</b>	18-0034-15-3-01-02-0000 - Y	18-0034-16-3-01-01-0000 - Y
	18-0034-21-4-01-01-0000 - Y	18-0034-22-2-01-01-0000 - Y
	18-0034-22-3-01-01-0000 - Y	18-0034-27-1-01-01-0000 - Y
	18-0034-28-1-01-02-0000 - 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.

40006-00 40007-00 40008-00 40009-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/25/1995.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/25/1995.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/05/1998.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 85889 RECEIVED 12/23/2009.