

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:** 41B 93260-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** ROBERT N MILLER  
175 ARABIAN LN  
DILLON, MT 59725-8315  
  
WILLIAM KRIEDEL  
4600 CARRIGAN LN  
DILLON, MT 59725-8573  
  
FRED HIRSCHY  
PO BOX 834  
JACKSON, MT 59736-0834  
  
LYNN HIRSCHY  
PO BOX 834  
JACKSON, MT 59736-0834  
  
VICTOR F NETTLES JR  
PO BOX 109  
DILLON, MT 59725-0109  
  
CHARLOTTE F QUIST  
PO BOX 109  
DILLON, MT 59725-0109

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

**Priority Date:** DECEMBER 31, 1866

**Enforceable Priority Date:** DECEMBER 31, 1866

**Type of Historical Right:** DECREED

**Purpose (use):** STOCK

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Maximum Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** BLACKTAIL DEER CREEK

**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		SW	31	7S	8W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

2		SENE	25	7S	9W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

3		SWNE	36	7S	9W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

4		SESWNE	36	7S	9W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** HEADGATE

**Ditch Name:** PETERSEN BLACKTAIL DITCH

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		E2NENW	36	7S	9W	BEAVERHEAD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

6		NENWSE	36	7S	9W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

7		E2NW	6	8S	8W	BEAVERHEAD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 1 to DECEMBER 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			SW	31	7S	8W	BEAVERHEAD
2			SENESE	25	7S	9W	BEAVERHEAD
3			W2SESE	26	7S	9W	BEAVERHEAD
4			NE	35	7S	9W	BEAVERHEAD
5			SWNE	36	7S	9W	BEAVERHEAD
6			SWSWNE	36	7S	9W	BEAVERHEAD
7			E2NENW	36	7S	9W	BEAVERHEAD
8			SWNW	36	7S	9W	BEAVERHEAD
9			NENWSE	36	7S	9W	BEAVERHEAD
10			N2SW	36	7S	9W	BEAVERHEAD
11			E2NW	6	8S	8W	BEAVERHEAD

**Geocodes/Valid:** 18-0241-06-1-01-05-0000 - Y 18-0325-36-1-03-01-0000 - Y

**Remarks:**

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

88694-00 88703-00 88833-00 93260-00

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/17/2007. J ERIC ANDERSON TO J BLAINE ANDERSON JR-TRANSFER-PROPERTY LOCATED IN SEC. 36 T7S R9W.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/04/2008. TRANSFER OUID# 55670 PERTAINS TO TRACT A-1, COS # 1119HR FILED ON 06/05/2000, FOR SW SEC 25, SE SEC 26, NE SEC 35, AND NW SEC 36, TWP 7S, RGE 9W.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/06/1998.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/15/1990.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/01/1991.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/09/1990.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 28460 RECEIVED 01/19/2006.

OWNERSHIP UPDATE TYPE 608 # 48867 RECEIVED 08/17/2007.

OWNERSHIP UPDATE TYPE 608 # 55670 RECEIVED 03/04/2008.

OWNERSHIP UPDATE TYPE DOR # 126511 RECEIVED 10/01/2014.

OWNERSHIP UPDATE TYPE DOR # 138932 RECEIVED 12/31/2015.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 125 MINER'S INCHES DECREED IN CASE NO. 711, BEAVERHEAD COUNTY. 41B 88228-00, 41B 88694-00, 41B 88703-00, 41B 88833-00, 41B 93260-00, 41B 133629-00, 41B 133630-00.

IT APPEARS AS THOUGH THE PLACE OF USE IS OWNED BY PARTIES OTHER THAN THE CLAIMANT(S) ACCORDING TO MT STATE CADASTRAL DATA (01/24/08). SEE CLAIM FILE FOR MORE INFORMATION.

THE PRIORITY DATE MAY BE QUESTIONABLE. CASE NO. 711, BEAVERHEAD COUNTY, DOES NOT SPECIFY A DAY OR MONTH. THE CLAIMS LISTED FOLLOWING THIS STATEMENT HAVE CLAIMED VARYING PRIORITY DATES. 41B, 88228-00, 41B 88694-00, 41B 88703-00, 41B 93260-00, 41B 88833-00, 41B 133630-00, 41B 133629-00.