

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 88551-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** MATADOR CATTLE CO  
9500 BLACKTAIL RD  
DILLON, MT 59725-9552

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

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 2.93 CFS

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 6,864.00

**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		SE	SW	28	8S	8W BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
2		SE	ENE	29	8S	8W BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> FLYNN DITCH						
3		S	W	SE	33	8S 8W BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
4		S	W	NE	33	8S 8W BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> EAST TWIN DITCH						
5		NE	SE	SW	33	8S 8W BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> WEST TWIN DITCH						
6		SE	SE	SW	33	8S 8W BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
7		NE	SW	SW	20	9S 7W BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
8		NE	SW	NE	29	9S 7W BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> LANDON UNIT DITCH						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
9		SWSWNE	34	9S	7W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> AXE CORNELL DITCH						
10		SWNWNE	4	9S	8W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HERMISON-ELLIS DITCH						
11		SWSWNE	4	9S	8W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HOME RANCH DITCH						
12		NWSWNW	10	9S	8W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> CALLOWAY DITCH						
13		SESWNW	10	9S	8W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> HIGHLAND DITCH						
14		NWNESE	10	9S	8W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> SHOUP-BAILEY DITCH						
15		NENWNW	14	9S	8W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> SHOUP- BAILEY DITCH NO. 2						
16		SENWSW	18	10S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> SHEDS NO. 1 DITCH						
17		NWSESE	11	10S	7W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> SHEDS NO. 2 DITCH						
18		SWNWNE	13	10S	7W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
19		NWSESE	28	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
20		SWSENE	33	11S	6W	BEAVERHEAD
<b>Period of Diversion:</b> MAY 1 TO OCTOBER 15						
<b>Diversion Means:</b> HEADGATE						
<b>Ditch Name:</b> LEWIS DITCH						
<b>Period of Use:</b> MAY 1 to OCTOBER 15						

**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	2.00		SWSWNE	28	8S	8W	BEAVERHEAD
2	116.00		NW	28	8S	8W	BEAVERHEAD
3	65.00		SE	28	8S	8W	BEAVERHEAD
4	160.00		SW	28	8S	8W	BEAVERHEAD
5	160.00		NE	29	8S	8W	BEAVERHEAD

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>
6	160.00		NW	29	8S	8W	BEAVERHEAD
7	160.00		SE	29	8S	8W	BEAVERHEAD
8	160.00		SW	29	8S	8W	BEAVERHEAD
9	160.00		NE	30	8S	8W	BEAVERHEAD
10	78.00		NW	30	8S	8W	BEAVERHEAD
11	100.00		SE	30	8S	8W	BEAVERHEAD
12	40.00		NE	31	8S	8W	BEAVERHEAD
13	2.00		SE	31	8S	8W	BEAVERHEAD
14	160.00		NE	32	8S	8W	BEAVERHEAD
15	160.00		NW	32	8S	8W	BEAVERHEAD
16	30.00		NESE	32	8S	8W	BEAVERHEAD
17	40.00		NWSE	32	8S	8W	BEAVERHEAD
18	16.00		SESE	32	8S	8W	BEAVERHEAD
19	67.00		SW	32	8S	8W	BEAVERHEAD
20	142.00		NE	33	8S	8W	BEAVERHEAD
21	160.00		NW	33	8S	8W	BEAVERHEAD
22	160.00		SE	33	8S	8W	BEAVERHEAD
23	160.00		SW	33	8S	8W	BEAVERHEAD
24	5.00		NW	34	8S	8W	BEAVERHEAD
25	59.00		SW	34	8S	8W	BEAVERHEAD
26	50.00		NE	19	9S	7W	BEAVERHEAD
27	40.00		NW	19	9S	7W	BEAVERHEAD
28	160.00		SE	19	9S	7W	BEAVERHEAD
29	145.00		SW	19	9S	7W	BEAVERHEAD
30	6.00		NW	20	9S	7W	BEAVERHEAD
31	140.00		SE	20	9S	7W	BEAVERHEAD
32	155.00		SW	20	9S	7W	BEAVERHEAD
33	84.00		SW	21	9S	7W	BEAVERHEAD
34	42.00		SW	27	9S	7W	BEAVERHEAD
35	90.00		NE	28	9S	7W	BEAVERHEAD
36	160.00		NW	28	9S	7W	BEAVERHEAD
37	152.00		SE	28	9S	7W	BEAVERHEAD
38	120.00		SW	28	9S	7W	BEAVERHEAD
39	158.00		NE	29	9S	7W	BEAVERHEAD
40	135.00		NW	29	9S	7W	BEAVERHEAD
41	31.00		SE	29	9S	7W	BEAVERHEAD
42	5.00		SW	29	9S	7W	BEAVERHEAD
43	45.00		NE	30	9S	7W	BEAVERHEAD
44	2.00		NW	30	9S	7W	BEAVERHEAD
45	90.00		NE	33	9S	7W	BEAVERHEAD
46	6.00		NW	33	9S	7W	BEAVERHEAD
47	5.00		NE	34	9S	7W	BEAVERHEAD
48	120.00		NW	34	9S	7W	BEAVERHEAD
49	110.00		NW	3	9S	8W	BEAVERHEAD
50	130.00		SW	3	9S	8W	BEAVERHEAD
51	160.00		NE	4	9S	8W	BEAVERHEAD
52	160.00		NW	4	9S	8W	BEAVERHEAD
53	115.00		SE	4	9S	8W	BEAVERHEAD
54	150.00		SW	4	9S	8W	BEAVERHEAD
55	50.00		NE	5	9S	8W	BEAVERHEAD
56	18.00		SE	5	9S	8W	BEAVERHEAD
57	35.00		NE	9	9S	8W	BEAVERHEAD
58	63.00		NE	10	9S	8W	BEAVERHEAD
59	58.00		NW	10	9S	8W	BEAVERHEAD
60	13.00		SE	10	9S	8W	BEAVERHEAD
61	1.00		NESW	10	9S	8W	BEAVERHEAD
62	45.00		NW	18	10S	6W	BEAVERHEAD
63	9.00		SW	18	10S	6W	BEAVERHEAD
64	50.00		NW	2	10S	7W	BEAVERHEAD
65	75.00		SE	2	10S	7W	BEAVERHEAD
66	140.00		SW	2	10S	7W	BEAVERHEAD
67	160.00		NE	11	10S	7W	BEAVERHEAD
68	51.00		NW	11	10S	7W	BEAVERHEAD
69	95.00		SE	11	10S	7W	BEAVERHEAD
70	130.00		NE	12	10S	7W	BEAVERHEAD
71	130.00		NW	12	10S	7W	BEAVERHEAD
72	160.00		SE	12	10S	7W	BEAVERHEAD
73	155.00		SW	12	10S	7W	BEAVERHEAD

**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>
74	78.00		NE	13	10S	7W	BEAVERHEAD
75	10.00		NW	13	10S	7W	BEAVERHEAD
76	50.00		NE	28	11S	6W	BEAVERHEAD
<b>Total:</b>	6,864.00						

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

**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.

88197-00	88198-00	88207-00	88209-00	88473-00	88474-00	88475-00
88476-00	88477-00	88478-00	88479-00	88480-00	88481-00	88482-00
88483-00	88484-00	88485-00	88486-00	88488-00	88489-00	88492-00
88493-00	88494-00	88496-00	88497-00	88498-00	88499-00	88500-00
88501-00	88502-00	88504-00	88510-00	88530-00	88536-00	88537-00
88545-00	88547-00	88548-00	88549-00	88550-00	88551-00	88552-00
88576-00	88577-00	88578-00	88580-00	88581-00	88582-00	88584-00
88585-00	88589-00	88590-00	88591-00	88592-00	88593-00	88594-00
88595-00	88596-00	88599-00	132441-00	132442-00	132443-00	132444-00
132445-00	132446-00					

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/23/2009: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/21/2011: PLACE OF USE AND MAX ACRES.

CASE NO. 5835 ALLOWS THE INTERCHANGE OF WATER OUT OF ALL HEADGATES ON BLACKTAIL DEER CREEK FOR THE FOLLOWING STATEMENTS OF CLAIM: 41B 88536-00, 41B 88537-00, 41B 88545-00, 41B 88547-00, 41B 88548-00, 41B 88549-00, 41B 88550-00, 41B 88551-00, 41B 88552-00, 41B 88576-00, 41B 88577-00, 41B 88582-00, 41B 88584-00, 41B 88585-00, 41B 88589-00.

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