

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:** 41G 95659-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

VINCENT G KEOGH  
1 TOBACCO ROOT CIRCLE  
WHITEHALL, MT 59759

FITZGERALD WHITETAIL RANCH LLC  
PO BOX 88  
WHITEHALL, MT 59759-0088

MARTHANNE KEOGH  
1 TOBACCO ROOT CIRCLE  
WHITEHALL, MT 59759

OWNER VINCENT G KEOGH RETAINED. CONTRACT FOR DEED INTEREST.  
OWNER MARTHANNE KEOGH RETAINED. CONTRACT FOR DEED INTEREST.

**Priority Date:** JUNE 29, 1915

**Enforceable Priority Date:** JUNE 29, 1915

**Type of Historical Right:** DECREED

**Purpose (use):** STOCK

**Maximum Flow Rate:**

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

**Maximum Volume:**

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING 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:** WHITETAIL 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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	29	4N	4W	JEFFERSON

**Period of Diversion:** APRIL 15 TO JULY 19

**Diversion Means:** DITCH

**Ditch Name:** MARSH DITCH NO. 1

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	SE	29	4N	4W	JEFFERSON
2				S	28	4N	4W	JEFFERSON
3			E	E	33	4N	4W	JEFFERSON
4			E	E	4	3N	4W	JEFFERSON
5			E	E	9	3N	4W	JEFFERSON

**Geocodes/Valid:** 51-1202-04-1-01-01-0000 - Y      51-1202-09-1-01-01-0000 - Y  
51-1294-28-3-01-01-0000 - Y      51-1294-33-1-01-01-0000 - Y

**Remarks:**

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/09/97.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 142883 RECEIVED 09/22/2015.

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**Remarks:**

THE SOURCE NAME HAS BEEN CHANGED TO BE CONSISTENT WITH A NAME CHANGE APPROVED BY THE UNITED STATES BOARD ON GEOGRAPHIC NAMES ON MAY 12, 1994, AND MCCALL V. CRUMB, CASE NO. 1862, JEFFERSON COUNTY. SOURCE NAME OF THIS CLAIM HAS BEEN CHANGED FROM LITTLE WHITETAIL CREEK TO WHITETAIL DEER CREEK. BECAUSE OF UNCERTAINTY IN SOURCE NAMES APPEARING IN THE TEMPORARY PRELIMINARY DECREE DURING THE OBJECTION PERIOD, ANY WATER USER WHOSE RIGHTS MAY HAVE BEEN ADVERSELY AFFECTED MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.