

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:** 41D 214939-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE  
**Version Status:** ACTIVE

**Owners:** PALISADES CATTLE CO  
% TOM PENDERGAST  
PO BOX 44  
MELROSE, MT 59743-0044

**Priority Date:** APRIL 20, 1914  
**Enforceable Priority Date:** APRIL 20, 1914

**Type of Historical Right:** FILED

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

**Maximum Flow Rate:** 8.00 CFS

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

**Climatic Area:** 5 - LOW

**Maximum Acres:** 320.00

**Source Name:** FISHTRAP CREEK, WEST FORK  
**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         |                 | SENESE     | 19         | 2N         | 14W        | DEER LODGE    |

**Period of Diversion:** MAY 1 TO OCTOBER 19

**Diversion Means:** HEADGATE

**Ditch Name:** PADDOCK DITCH

CALVERT CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM THE WEST FORK OF FISHTRAP CREEK TO SECONDARY DIVERSIONS IN W2 SEC 2, T1N, R14W, DEER LODGE COUNTY.

**Period of Use:** MAY 1 to OCTOBER 19

**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             | 320.00       |                 | W2         | 2          | 1N         | 14W        | DEER LODGE    |
| <b>Total:</b> | 320.00       |                 |            |            |            |            |               |

**Geocodes/Valid:** 30-0980-02-1-01-01-0000 - 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.

93413-00 93414-00 214939-00

THIS CLAIM IS SUBORDINATE TO WATER RIGHT NUMBERS 41D 92424-00, 41D 92428-00, 41D 92430-00, 41D 92432-00, 41D 196340-00, 41D 196341-00, 41D 196342-00, AND 41D 196343-00.

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE THE SUBJECT OF A STIPULATION FOR SETTLEMENT OF OBJECTIONS RAISED IN MONTANA WATER COURT CASE NUMBER 41D-105. THE STIPULATION FOR SETTLEMENT IS FILED WITH THE MONTANA WATER COURT. 41D 93413-00, 41D 93414-00, 41D 214939-00.

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

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 93414-00.

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION HAS BEEN ESTIMATED.