

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:** 41H 103602-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:**

CLAYTON B MARLOW  
277 HODGEMAN CANYON DR  
BOZEMAN, MT 59718

OTTENSTEIN, KARL J. & KAREN L. OSOSKI JOINT TRUST  
KARL J OTTENSTEIN & KAREN L OSOSKI, TRUSTEES  
475 HODGEMAN CANYON DR  
BOZEMAN, MT 59718

BARBARA ECKSTEIN  
145 HODGEMAN CANYON DR  
BOZEMAN, MT 59718

ROBERT E ECKSTEIN  
14 HODGEMAN CANYON DR  
BOZEMAN, MT 59715

LYNN F MARLOW  
277 HODGEMAN CANYON DR  
BOZEMAN, MT 59718

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

**Priority Date:** JUNE 30, 1868

**Enforceable Priority Date:** JUNE 30, 1868

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 25.21 GPM

**Maximum Volume:**

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 13.20

**Source Name:** HYALITE CREEK

**Source Type:** SURFACE WATER

**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		NWNESW	14	3S	5E	GALLATIN

**Period of Diversion:** APRIL 1 TO JUNE 4

**Diversion Means:** HEADGATE

**Subdivision:** HODGEMAN CANYON SUBD

**Ditch Name:** HODGEMAN DITCH

2		NWNWNE	23	3S	5E	GALLATIN
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**Period of Diversion:** APRIL 1 TO JUNE 4

**Diversion Means:** HEADGATE

**Subdivision:** HODGEMAN CANYON SUBD

**Ditch Name:** FLANDERS MILLPOND DITCH

**Period of Use:** APRIL 1 to JUNE 4

**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	3.27		NWSE	11	3S	5E	GALLATIN
	<b>Subdivision:</b>	HODGEMAN CANYON SUBD TRACT/LOT 1 BLOCK: 4					
2	3.35		W2SE	11	3S	5E	GALLATIN
	<b>Subdivision:</b>	HODGEMAN CANYON SUBD TRACT/LOT 2 BLOCK: 4					
3	3.34		W2SE	11	3S	5E	GALLATIN
	<b>Subdivision:</b>	HODGEMAN CANYON SUBD TRACT/LOT 3 BLOCK: 4					

**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>
4	3.24		W2SE	11	3S	5E	GALLATIN
<b>Total:</b>	13.20						
<b>Geocodes/Valid:</b>		06-0698-11-4-33-01-0000 - Y				06-0698-11-4-33-05-0000 - Y	
		06-0698-11-4-33-10-0000 - Y				06-0698-11-4-33-15-0000 - Y	

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**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.

103601-00 103602-00 103603-00 103604-00 103605-00

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/17/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/04/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/24/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/14/94.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 23885 RECEIVED 07/25/2005.

OWNERSHIP UPDATE TYPE 608 # 40088 RECEIVED 07/20/2006.