

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 115495-00 STATEMENT OF CLAIM  
**Version:** 2 -- POST DECREE  
**Version Status:** ACTIVE

**Owners:** LORI J MARTINDALE  
200 LOWER SCHOOL RD  
BELGRADE, MT 59714-8478  
  
WILLIAM R MARTINDALE  
200 LOWER SCHOOL RD  
BELGRADE, MT 59714-8478  
  
WALTER J SMITH  
2209 PINE VALLEY DR  
HOUSTON, TX 77019-3509  
  
MARY LOU SMITH  
2209 PINE VALLEY DR  
HOUSTON, TX 77019-3509  
  
WARDE Q BUTLER III  
223 WESTLAKE PARK BLVD  
BOZEMAN, MT 59718  
  
CINDY P BUTLER  
223 WESTLAKE PARK BLVD  
BOZEMAN, MT 59718

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

**Priority Date:** JUNE 1, 1873  
**Enforceable Priority Date:** JUNE 1, 1873

**Type of Historical Right:** DECREED

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

**Maximum Flow Rate:** 0.40 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:** 40.00

**Source Name:** ROSS 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		NESESE	18	1N	6E	GALLATIN

**Period of Diversion:** MAY 1 TO NOVEMBER 4  
**Diversion Means:** HEADGATE

**Period of Use:** MAY 1 to NOVEMBER 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	18.50		S2	18	1N	6E	GALLATIN
2	20.00		S2	18	1N	6E	GALLATIN
3	1.50		S2	18	1N	6E	GALLATIN
<b>Total:</b>	40.00						

POU 1 IS LOCATED IN TRACT 1, COS #513  
POU 3 IS LOCATED IN TRACT 8, COS #513  
POU 2 IS LOCATED IN TRACT 2, COS #513

**Geocodes/Valid:** 06-1012-18-3-01-05-0000 - Y      06-1012-18-3-01-09-0000 - Y  
06-1012-18-3-01-32-0000 - Y

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**Remarks:**

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/22/98.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/21/98.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/14/98.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/22/98.

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 30023115, 30023116, AND 30023117.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 1027 RECEIVED 11/09/2001.

OWNERSHIP UPDATE TYPE 608 # 16101 RECEIVED 08/20/2004.

OWNERSHIP UPDATE TYPE 608 # 36488 RECEIVED 04/27/2006.

OWNERSHIP UPDATE TYPE 608 # 43614 RECEIVED 01/04/2007.

OWNERSHIP UPDATE TYPE DOR # 96045 RECEIVED 12/01/2009.

OWNERSHIP UPDATE TYPE DOR # 110713 RECEIVED 06/13/2013.