

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 103601-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: BARBARA ECKSTEIN
145 HODGEMAN CANYON DR
BOZEMAN, MT 59718

ROBERT E ECKSTEIN
14 HODGEMAN CANYON DR
BOZEMAN, MT 59715

Priority Date: APRIL 4, 1881
Enforceable Priority Date: APRIL 4, 1881

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 107.71 GPM

Maximum Volume:
Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 6.25

Source Name: HODGEMAN CANYON 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		SENWSE	11	3S	5E	GALLATIN

Period of Diversion: APRIL 20 TO OCTOBER 14
Diversion Means: PUMP
Subdivision: HODGEMAN CANYON SUBD

Period of Use: APRIL 20 to OCTOBER 14
RIGHT INCLUDES HIGH OR FLOOD WATERS OF HODGEMAN CANYON CREEK.

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	6.25		SENWSE	11	3S	5E	GALLATIN

Subdivision: HODGEMAN CANYON SUBD

Total: 6.25

THE PLACE OF USE IS LOCATED IN LOTS 1 AND 2 OF BLOCK 4 OF HODGEMAN CANYON SUBDIVISION.

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.

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 10/04/88.

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

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/24/99.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/08/99.

OWNERSHIP OF WATER RIGHT CHANGED BY ORDER OF THE WATER COURT DURING ADJUDICATION OF THE TEMPORARY PRELIMINARY DECREE.

Remarks:

THE TIMELY FILED OBJECTION OF RICHARD ANDERSON WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE POINT OF DIVERSION. BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.