

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 154136-00 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** DEAN C MORTENSON  
9085 CAYUSE TRAIL  
BOZEMAN, MT 59718

MELEA M MORTENSON  
9085 CAYUSE TRAIL  
BOZEMAN, MT 59718

JENNY B YOUNGER  
17 HITCHING POST RD  
BOZEMAN, MT 59715

KENNETH H YOUNGER  
17 HITCHING POST RD  
BOZEMAN, MT 59715

BOZEMAN, CITY OF  
%TIM COOPER, ATTY  
PO BOX 1230  
BOZEMAN, MT 59771-1230

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

**Priority Date:** JULY 31, 1876

**Enforceable Priority Date:** JULY 31, 1876

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 282.80 GPM

**Maximum Volume:** 191.14 AC-FT

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 800.00

**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:** MAY 1 TO SEPTEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** HODGEMAN DITCH

2		SWSNW	14	3S	5E	GALLATIN
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**Period of Diversion:** MAY 1 TO SEPTEMBER 30

**Diversion Means:** HEADGATE

**Ditch Name:** JONES DITCH

**Period of Use:** MAY 1 to SEPTEMBER 30

**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	300.00		S2	10	3S	5E	GALLATIN
2	120.00		SW	11	3S	5E	GALLATIN
3	300.00		N2	15	3S	5E	GALLATIN
4	80.00		N2S2	15	3S	5E	GALLATIN
<b>Total:</b>	800.00						

**Geocodes/Valid:** -- NO VALID GEOCODES --

**Remarks:**

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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 03/26/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/12/94.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/09/01.

THE WATER COURT HAS BEEN PRESENTED WITH EVIDENCE INDICATING THE MAXIMUM ACRES AND PLACE OF USE MAY BE INCORRECT. ACCORDING TO AN AFFIDAVIT FILED 1/11/94 BY THE ORIGINAL CLAIMANT, LOCATED IN THE CLAIM FILE, THE HISTORICAL ACRES IRRIGATED AND PLACE OF USE MAYBE: ACRES QTR SEC SEC TWP RGE COUNTY 140.00 S2S2 10 03S 05E GALLATIN 160.00 NE 15 03S 05E GALLATIN 20.00 N2SE 15 03S 05E GALLATIN \_\_\_\_\_ TOTAL 320.00