

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 103604-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

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

BARBARA J ECKSTEIN  
14 HODGEMAN CANYON DR  
BOZEMAN, MT 59718

ROBERT E ECKSTEIN  
14 HODGEMAN CANYON DR  
BOZEMAN, MT 59718

CLAYTON B 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:** OCTOBER 22, 1886

**Enforceable Priority Date:** OCTOBER 22, 1886

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 3.53 CFS

**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 20 TO OCTOBER 14

**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 20 TO OCTOBER 14

**Diversion Means:** HEADGATE

**Subdivision:** HODGEMAN CANYON SUBD

**Ditch Name:** FLANDERS MILLPOND DITCH

DITCH NAME FOR DIVERSION NO. 2 IS: FLANDERS MILLPOND DITCH

DITCH NAME FOR DIVERSION NO. 01 IS: FLANDERS MILLPOND DITCH

**Period of Use:** APRIL 20 to OCTOBER 14

RIGHT INCLUDES HIGH OR FLOODWATERS OF HYALITE 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	13.20		SENWSE	11	3S	5E	GALLATIN

**Subdivision:** HODGEMAN CANYON SUBD BLOCK: 4

**Total:** 13.20

PLACE OF USE INCLUDES LOTS 1,2,3, AND 4 OF HODGEMAN CANYON SUBDIVISION.

<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 03/10/99.

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

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

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

**OWNERSHIP UPDATE RECEIVED**

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

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