

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: 76H 151094-00 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Version Status: ACTIVE

Owners: H BRUCE MACLAY
17015 OLD HWY 93 S
FLORENCE, MT 59833

MLIC ASSET HOLDINGS LLC
MAIL TO: METLIFE AG INVESTMENTS
10801 MASTIN ST, STE 930
OVERLAND PARK, KS 66210-1677

CORY A MACLAY
371 NW 50TH ST
SEATTLE, WA 98107-3522

WILLIAM H MACLAY
371 NW 50TH ST
SEATTLE, WA 98107-3522

Priority Date: JULY 28, 1896
Enforceable Priority Date: JULY 28, 1896

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 2.50 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 - MODERATE

Maximum Acres: 755.00

Source Name: CARLTON CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	34	11N	20W	MISSOULA

Period of Diversion: APRIL 1 TO NOVEMBER 4
Diversion Means: HEADGATE
Ditch Name: LOWER MACLAY DITCH

2		SE	33	11N	20W	MISSOULA
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Period of Diversion: APRIL 1 TO NOVEMBER 4
Diversion Means: HEADGATE
Ditch Name: UPPER MACLAY DITCH

3		NW	33	11N	20W	MISSOULA
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Period of Diversion: APRIL 1 TO NOVEMBER 4
Diversion Means: HEADGATE
Ditch Name: SCHMITZ DITCH

MCLAIN CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER
ORIGINALLY DIVERTED FROM CARLTON CREEK.

DITCH NAME FOR DIVERSION NO. 2 IS: UPPER MACLAY DITCH

DITCH NAME FOR DIVERSION NO. 3 IS: SCHMITZ DITCH

DITCH NAME FOR DIVERSION NO. 01 IS: LOWER MACLAY DITCH

Period of Use: APRIL 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	33.00		NWSW	14	11N	20W	MISSOULA
2	36.00		NESW	14	11N	20W	MISSOULA
3	38.00		SWSW	14	11N	20W	MISSOULA
4	33.00		SESW	14	11N	20W	MISSOULA
5	24.00		NWSE	15	11N	20W	MISSOULA
6	36.00		NESE	15	11N	20W	MISSOULA
7	35.00		SESE	15	11N	20W	MISSOULA
8	30.00		SWSE	15	11N	20W	MISSOULA
9	1.00		SENE	15	11N	20W	MISSOULA
10	13.00		SESW	15	11N	20W	MISSOULA
11	38.00		SESE	22	11N	20W	MISSOULA
12	38.00		SWSE	22	11N	20W	MISSOULA
13	33.00		NWSE	22	11N	20W	MISSOULA
14	30.00		NESE	22	11N	20W	MISSOULA
15	8.00		E2NESW	22	11N	20W	MISSOULA
16	2.00		SESE	22	11N	20W	MISSOULA
17	15.00		SWNE	22	11N	20W	MISSOULA
18	38.00		NENE	22	11N	20W	MISSOULA
19	35.00		SENE	22	11N	20W	MISSOULA
20	22.00		NWNE	22	11N	20W	MISSOULA
21	40.00		NWNW	23	11N	20W	MISSOULA
22	34.00		NENW	23	11N	20W	MISSOULA
23	8.00		N2SE	23	11N	20W	MISSOULA
24	27.00		SWNW	23	11N	20W	MISSOULA
25	36.00		NWNE	27	11N	20W	MISSOULA
26	33.00		SWNE	27	11N	20W	MISSOULA
27	27.00		SENE	27	11N	20W	MISSOULA
28	10.00		NENW	27	11N	20W	MISSOULA
29	2.00		SWNW	27	11N	20W	MISSOULA
Total:	755.00						

Geocodes/Valid:		
	04-1975-14-3-01-01-0000 - Y	04-1975-14-3-01-05-0000 - Y
	04-1975-14-3-01-06-0000 - Y	04-1975-14-3-01-08-0000 - Y
	04-1975-14-3-01-10-0000 - Y	04-1975-14-3-01-12-0000 - Y
	04-1975-14-3-01-14-0000 - Y	04-1975-14-3-01-16-0000 - Y
	04-1975-15-3-01-01-0000 - Y	04-1975-15-4-01-01-0000 - Y
	04-1975-15-4-01-02-0000 - Y	04-1975-15-4-01-03-0000 - Y
	04-1975-15-4-01-04-0000 - Y	04-1975-15-4-01-05-0000 - Y
	04-1975-15-4-01-06-0000 - Y	04-1975-15-4-01-11-0000 - Y
	04-1975-22-1-01-01-0000 - Y	04-1975-22-1-01-02-0000 - Y
	04-1975-22-1-01-03-0000 - Y	04-1975-22-1-01-05-0000 - Y
	04-1975-27-2-01-01-0000 - Y	04-1975-27-2-01-02-0000 - Y
	04-1975-27-2-01-04-0000 - Y	04-1975-27-2-01-05-0000 - Y
	04-1975-27-2-01-06-0000 - Y	

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.

151082-00	151084-00	151085-00	151086-00	151087-00	151088-00	151089-00
151090-00	151091-00	151092-00	151093-00	151094-00	151095-00	151096-00
151098-00	151099-00	151100-00	163387-00	163390-00		

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151098-00	151099-00	151100-00	163387-00	163390-00		

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

151094-00 151119-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/07/90: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE DOR # 137689 RECEIVED 01/22/2010.

OWNERSHIP UPDATE TYPE DOR # 108838 RECEIVED 02/27/2013.

OWNERSHIP UPDATE TYPE DOR # 137673 RECEIVED 10/19/2015.