

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: 43D 197390-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MUTUAL DITCH CO
%REGINA AISENBREY
8 AISENBREY LOOP
BRIDGER, MT 59014

Priority Date: APRIL 15, 1970

Enforceable Priority Date: APRIL 15, 1970

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 160.00 CFS

THE MAXIMUM COMBINED FLOW RATE FOR CLAIMS W197385-00, W197386-00, W197387-00, W197390-00, W197391-00, W197392-00, SHALL NOT EXCEED 160 CFS.

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

Climatic Area: 1 - HIGH

Maximum Acres: 449.00

Source Name: CLARKS FORK YELLOWSTONE RIVER

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		SENWSW	13	8S	22E	CARBON

Period of Diversion: APRIL 15 TO OCTOBER 19

Diversion Means: HEADGATE

Ditch Name: MUTUAL DITCH

DITCH NAME: MUTUAL DITCH

Period of Use: APRIL 15 to OCTOBER 19

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	5.00		NWNW	29	7S	23E	CARBON
2	14.00		NENW	29	7S	23E	CARBON
3	2.00		SWNE	20	7S	23E	CARBON
4	18.00		SESW	20	7S	23E	CARBON
5	20.00		NWSW	16	7S	23E	CARBON
6	35.00		SWSW	16	7S	23E	CARBON
7	10.00		SESW	16	7S	23E	CARBON
8	11.00		NWNW	14	7S	23E	CARBON
9	11.00		NENW	14	7S	23E	CARBON
10	5.00		SWNW	11	7S	23E	CARBON
11	18.00		SESW	2	7S	23E	CARBON
12	36.00		NWSW	11	7S	23E	CARBON
13	26.00		NESW	11	7S	23E	CARBON
14	40.00		SWSW	11	7S	23E	CARBON
15	40.00		SESW	11	7S	23E	CARBON
16	8.00		NESE	10	7S	23E	CARBON
17	36.00		NWSE	2	7S	23E	CARBON
18	27.00		NESE	2	7S	23E	CARBON
19	40.00		SWSE	2	7S	23E	CARBON
20	29.00		SESE	2	7S	23E	CARBON
21	18.00		N2NW	29	7S	23E	CARBON

Total: 449.00

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.

197385-00 197386-00 197387-00 197390-00 197391-00 197392-00

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

THE TIMELY FILED OBJECTION OF UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PRIORITY DATE. 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.