

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 197391-00 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, 1947

Enforceable Priority Date: APRIL 15, 1947

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: 253.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF UNNAMED TRIBUTARY OF 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		NW	13	8S	22E	CARBON

Period of Diversion: APRIL 15 TO OCTOBER 19

Diversion Means: HEADGATE

Ditch Name: MUTUAL DITCH

DITCH NAME: MUTUAL DITCH

WASTE AND SEEPAGE WATER IS COLLECTED AT VARIOUS LOCATIONS ALONG THE MUTUAL DITCH FROM THE SENSW SEC 13 TWP 08S RGE 22E TO THE NW SEC 30 TWP 07S RGE 23E, CARBON COUNTY.

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	33.00		NENW	15	7S	23E	CARBON
2	35.00		SWNW	15	7S	23E	CARBON
3	32.00		NWNE	15	7S	23E	CARBON
4	25.00		NWSW	15	7S	23E	CARBON
5	26.00		SWSW	15	7S	23E	CARBON
6	30.00		NWSE	10	7S	23E	CARBON
7	30.00		SWSE	10	7S	23E	CARBON
8	9.00		SESE	10	7S	23E	CARBON
9	18.00		NENW	2	7S	23E	CARBON
10	12.00		NWNE	2	7S	23E	CARBON
11	3.00		SWNE	2	7S	23E	CARBON
Total:	253.00						

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

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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 AND POINT OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.