

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 197385-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

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

Priority Date: JULY 7, 1909

Enforceable Priority Date: JULY 7, 1909

Type of Historical Right: FILED

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: 1,737.50

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	30.00		NWNW	35	6S	23E	CARBON
2	37.00		SWNW	35	6S	23E	CARBON
3	40.00		NWSW	35	6S	23E	CARBON
4	40.00		SWSW	35	6S	23E	CARBON
5	32.00		SESW	35	6S	23E	CARBON
6	22.00		NWNE	34	6S	23E	CARBON
7	38.00		NENE	34	6S	23E	CARBON
8	23.00		SWNE	34	6S	23E	CARBON
9	37.00		SENE	34	6S	23E	CARBON
10	11.00		NWSE	34	6S	23E	CARBON
11	35.00		NESE	34	6S	23E	CARBON
12	36.00		SESE	34	6S	23E	CARBON
13	16.00		NESE	27	6S	23E	CARBON
14	6.00		SWSE	27	6S	23E	CARBON
15	38.00		SESE	27	6S	23E	CARBON
16	20.00		NWSW	26	6S	23E	CARBON
17	8.00		NWNW	15	7S	23E	CARBON
18	15.00		NWNW	11	7S	23E	CARBON
19	34.00		NENW	11	7S	23E	CARBON
20	18.00		SWNW	11	7S	23E	CARBON
21	9.00		SENW	11	7S	23E	CARBON
22	20.00		NWNE	11	7S	23E	CARBON
23	14.00		NENE	11	7S	23E	CARBON
24	9.00		SWNE	11	7S	23E	CARBON
25	3.00		NWSW	11	7S	23E	CARBON

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>
26	21.00		NWNW	10	7S	23E	CARBON
27	40.00		NENW	10	7S	23E	CARBON
28	40.00		SWNW	10	7S	23E	CARBON
29	35.00		SEW	10	7S	23E	CARBON
30	35.00		NWNE	10	7S	23E	CARBON
31	20.00		NENE	10	7S	23E	CARBON
32	36.00		SWNE	10	7S	23E	CARBON
33	32.00		SENE	10	7S	23E	CARBON
34	32.00		NWSW	10	7S	23E	CARBON
35	21.00		SWSW	10	7S	23E	CARBON
36	5.00		NWNW	9	7S	23E	CARBON
37	20.00		NENW	9	7S	23E	CARBON
38	10.00		SWNW	9	7S	23E	CARBON
39	5.00		SEW	9	7S	23E	CARBON
40	35.00		NWNE	9	7S	23E	CARBON
41	22.00		NENE	9	7S	23E	CARBON
42	25.00		SENE	9	7S	23E	CARBON
43	15.00		SESW	9	7S	23E	CARBON
44	31.00		NESE	9	7S	23E	CARBON
45	4.00		SWSE	9	7S	23E	CARBON
46	22.00		SESE	9	7S	23E	CARBON
47	2.00		SWSE	8	7S	23E	CARBON
48	24.00		SESE	8	7S	23E	CARBON
49	26.00		SEW	3	7S	23E	CARBON
50	20.00		NWNE	3	7S	23E	CARBON
51	36.00		NENE	3	7S	23E	CARBON
52	40.00		SWNE	3	7S	23E	CARBON
53	36.00		SENE	3	7S	23E	CARBON
54	8.00		NWSW	3	7S	23E	CARBON
55	25.00		NESW	3	7S	23E	CARBON
56	24.00		SWSW	3	7S	23E	CARBON
57	32.00		SESW	3	7S	23E	CARBON
58	40.00		NWSE	3	7S	23E	CARBON
59	38.00		NESE	3	7S	23E	CARBON
60	22.00		SWSE	3	7S	23E	CARBON
61	24.00		SESE	3	7S	23E	CARBON
62	40.00		NWNW	2	7S	23E	CARBON
63	18.00		NENW	2	7S	23E	CARBON
64	40.00		SWNW	2	7S	23E	CARBON
65	18.00		SEW	2	7S	23E	CARBON
66	36.00		NWSW	2	7S	23E	CARBON
67	15.00		NESW	2	7S	23E	CARBON
68	36.00		SWSW	2	7S	23E	CARBON
69	14.00		SESW	2	7S	23E	CARBON
70	2.00		NWSE	11	7S	23E	CARBON
71	10.00		NESW	10	7S	23E	CARBON
72	12.00		SESW	10	7S	23E	CARBON
73	2.50		NESESE	16	7S	23E	CARBON
Total:	1,737.50						

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

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.

197385-00 197388-00

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

Remarks:

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.