

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:** 42A 181448-00 RESERVED CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** PADLOCK RANCH CO  
8420 US HWY 14  
RANCHESTER, WY 82839-9703  
  
CROW INDIAN RESERVATION  
CROW TRIBE WATER RESOURCES  
TITUS TAKES GUN, DIRECTOR  
PO BOX 159  
CROW AGENCY, MT 59022-0159

**Priority Date:** MAY 7, 1868  
**Enforceable Priority Date:** MAY 7, 1868

**Type of Historical Right:** RESERVED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** WATER SPREADING

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

**Maximum Volume:** 415.50 AC-FT  
**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 480.00

**Source Name:** UNNAMED TRIBUTARY OF ROSEBUD CREEK, SOUTH FORK  
**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		SWSWSW	5	8S	38E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31  
**Diversion Means:** DIKE

**Period of Use:** JANUARY 1 to DECEMBER 31

**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	160.00		NE	5	8S	38E	BIG HORN
2	320.00		S2	5	8S	38E	BIG HORN
<b>Total:</b>	480.00						

**Geocodes/Valid:** 22-0291-05-1-01-01-0000 - Y

**Remarks:**

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

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CROW INDIAN RESERVATION.

NO REVIEW OR DETERMINATION OF THE CLAIMED TYPE OF HISTORICAL RIGHT HAS BEEN MADE. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.

BIG HORN COUNTY RECORDS AS OF 12/02/2012 SHOWS PLACE OF USE IS OWNED BY USA IN TRUST FOR CROW TRIBE.

THE BIG HORN COUNTY WATER RESOURCES SURVEY ( 1947 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 479-24 , DATED 10/05/1980 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED AFFIDAVIT IS 04/16/1920.

THE CLAIMED PRIORITY DATE PRECEDES 7/25/1868 , THE EARLIEST GENERAL DATE OF SETTLEMENT WITHIN THE DRAINAGE.

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**Remarks:**

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

IT IS NOT CLEAR WHETHER THIS CLAIM IS A STATE-BASED WATER RIGHT OR PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE 1999 CROW TRIBE-MONTANA COMPACT.

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VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.