

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: 43P 183815-00 RESERVED CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: CROW INDIAN RESERVATION
CROW TRIBE WATER RESOURCES
TITUS TAKES GUN, DIRECTOR
PO BOX 159
CROW AGENCY, MT 59022-0159

S RANCH LAND LLC
PO BOX 10
PRYOR, MT 59066

JERRY T KLUNDT
1642 BUCKHORN LN
BILLINGS, MT 59105

JAY S SIMPSON
808 N 22ND ST
BILLINGS, MT 59101

COLLEEN M SIMPSON
808 N 22ND ST
BILLINGS, MT 59101

MICHAEL J SIMPSON
808 N 22ND ST
BILLINGS, MT 59101

WARREN D SMITH
PO BOX 38
PRYOR, MT 59066

Priority Date: MAY 7, 1868

Enforceable Priority Date: MAY 7, 1868

Type of Historical Right: RESERVED

Purpose (use): STOCK

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Maximum Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BEAUVAIS 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		S2	22	4S	29E	BIG HORN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		S2N2	23	4S	29E	BIG HORN
---	--	------	----	----	-----	----------

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		N2S2	23	4S	29E	BIG HORN
---	--	------	----	----	-----	----------

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4		S2N2	24	4S	29E	BIG HORN
---	--	------	----	----	-----	----------

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		N2S2	24	4S	29E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
6		NE	28	4S	29E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
7		W2	28	4S	29E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
8		S2SE	29	4S	29E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
9		E2	31	4S	29E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
10		SW	31	4S	29E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
11		N2N2	32	4S	29E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
12		NE	14	4S	30E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
13		W2	14	4S	30E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
14		S2	15	4S	30E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
15		SESE	16	4S	30E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
16		S2N2	19	4S	30E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
17		N2S2	19	4S	30E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
18		N2	20	4S	30E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
19		N2	21	4S	30E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
20		NE	1	5S	28E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
21		W2	1	5S	28E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
22		NWNWNW	6	5S	29E	BIG HORN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

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			S2	22	4S	29E	BIG HORN
2			S2N2	23	4S	29E	BIG HORN
3			N2S2	23	4S	29E	BIG HORN
4			S2N2	24	4S	29E	BIG HORN
5			N2S2	24	4S	29E	BIG HORN
6			NE	28	4S	29E	BIG HORN
7			W2	28	4S	29E	BIG HORN
8			S2SE	29	4S	29E	BIG HORN
9			E2	31	4S	29E	BIG HORN
10			SW	31	4S	29E	BIG HORN
11			N2N2	32	4S	29E	BIG HORN
12			NE	14	4S	30E	BIG HORN
13			W2	14	4S	30E	BIG HORN
14			S2	15	4S	30E	BIG HORN
15			SESE	16	4S	30E	BIG HORN
16			S2N2	19	4S	30E	BIG HORN
17			N2S2	19	4S	30E	BIG HORN
18			N2	20	4S	30E	BIG HORN
19			N2	21	4S	30E	BIG HORN
20			NE	1	5S	28E	BIG HORN
21			W2	1	5S	28E	BIG HORN
22			NWNWNW	6	5S	29E	BIG HORN

Geocodes/Valid:	22-0542-01-1-01-01-0000 - Y	22-0635-22-1-01-01-0000 - Y
	22-0635-28-1-03-01-0000 - Y	22-0635-31-1-01-01-0000 - Y
	22-0635-32-1-01-01-0000 - Y	22-0636-14-3-01-03-0000 - Y
	22-0636-15-1-01-01-0000 - Y	22-0636-15-3-01-01-0000 - Y
	22-0636-15-4-03-01-0000 - Y	22-0636-20-1-01-01-0000 - Y
	22-0636-21-2-01-01-0000 - Y	22-0636-21-3-01-01-0000 - 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.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/28/1997.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/28/1993.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 11/20/1990.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 18444 RECEIVED 09/21/2004.

OWNERSHIP UPDATE TYPE 608 # 34609 RECEIVED 03/02/2006.

OWNERSHIP UPDATE TYPE DOR # 129929 RECEIVED 05/27/2011.

OWNERSHIP UPDATE TYPE DOR # 136623 RECEIVED 04/04/2014.

OWNERSHIP UPDATE TYPE 608 # 135159 RECEIVED 10/02/2015.

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.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/06/2015, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY WARREN D SMITH.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/06/2015, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY VERA J CROFT.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/06/2015, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JERRY THOMAS KLUNDT.

Remarks:

.....
ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/06/2015, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY CROW TRIBE IN TRUST; U S A IN TRUST FOR CROW TRIBE.

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

IT IS NOT CLEAR WHETHER THIS CLAIM IS A STATE-BASED WATER RIGHT OR PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE CROW TRIBE - MONTANA COMPACT. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.
.....