

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 185009-00 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  
  
MICHAEL J BROWN  
PO BOX 283  
GETTYSBURG, SD 57442  
  
REECE W BROWN  
PO BOX 283  
GETTYSBURG, SD 57442  
  
JAMES R BROWN  
PO BOX 283  
GETTYSBURG, SD 57442

**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:** WAR MAN CREEK  
**Source Type:** SURFACE WATER

THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF WAR MAN CREEK.

**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  |                 | E2         | 14         | 6S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |            |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |            |            |            |            |               |
| 2  |                 | NE         | 23         | 6S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |            |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |            |            |            |            |               |
| 3  |                 | W2         | 24         | 6S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |            |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |            |            |            |            |               |
| 4  |                 | N2         | 25         | 6S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |            |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |            |            |            |            |               |
| 5  |                 | S2         | 25         | 6S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |            |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |            |            |            |            |               |
| 6  |                 | N2         | 36         | 6S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |            |            |            |            |               |
| <b>Diversion Means:</b> 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> |
|--|-----------------|----------------|------------|------------|------------|---------------|
| 7  |                 | S2             | 36         | 6S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |                |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |                |            |            |            |               |
| 8  |                 | N2             | 1          | 7S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |                |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |                |            |            |            |               |
| 9  |                 | S2             | 1          | 7S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |                |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |                |            |            |            |               |
| 10   |                 | E2             | 12         | 7S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |                |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |                |            |            |            |               |
| 11   |                 | W2             | 13         | 7S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |                |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |                |            |            |            |               |
| 12   |                 | SE             | 14         | 7S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |                |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |                |            |            |            |               |
| 13   |                 | N2SE           | 22         | 7S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |                |            |            |            |               |
| <b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE |                 |                |            |            |            |               |
| 14   |                 | N2             | 23         | 7S         | 31E        | BIG HORN      |
| <b>Period of Diversion:</b> JANUARY 1 TO DECEMBER 31 |                 |                |            |            |            |               |
| <b>Diversion Means:</b> 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         |              |                 | E2             | 14         | 6S         | 31E        | BIG HORN      |
| 2         |              |                 | NE             | 23         | 6S         | 31E        | BIG HORN      |
| 3         |              |                 | W2             | 24         | 6S         | 31E        | BIG HORN      |
| 4         |              |                 | N2             | 25         | 6S         | 31E        | BIG HORN      |
| 5         |              |                 | S2             | 25         | 6S         | 31E        | BIG HORN      |
| 6         |              |                 | N2             | 36         | 6S         | 31E        | BIG HORN      |
| 7         |              |                 | S2             | 36         | 6S         | 31E        | BIG HORN      |
| 8         |              |                 | N2             | 1          | 7S         | 31E        | BIG HORN      |
| 9         |              |                 | S2             | 1          | 7S         | 31E        | BIG HORN      |
| 10        |              |                 | E2             | 12         | 7S         | 31E        | BIG HORN      |
| 11        |              |                 | W2             | 13         | 7S         | 31E        | BIG HORN      |
| 12        |              |                 | SE             | 14         | 7S         | 31E        | BIG HORN      |
| 13        |              |                 | N2SE           | 22         | 7S         | 31E        | BIG HORN      |
| 14        |              |                 | N2             | 23         | 7S         | 31E        | BIG HORN      |

|                        |                             |                             |
|------------------------|-----------------------------|-----------------------------|
| <b>Geocodes/Valid:</b> | 22-0372-01-1-02-01-0000 - Y | 22-0372-01-3-01-01-0000 - Y |
|                        | 22-0372-12-4-01-01-0000 - Y | 22-0372-13-2-01-01-0000 - Y |
|                        | 22-0372-14-1-01-01-0000 - Y | 22-0372-22-1-01-01-0000 - Y |
|                        | 22-0372-23-1-01-01-0000 - Y | 22-0372-23-1-03-01-0000 - Y |
|                        | 22-0458-14-1-02-03-0000 - Y | 22-0458-14-4-03-01-0000 - Y |
|                        | 22-0458-23-1-01-01-0000 - Y | 22-0458-24-1-01-01-0000 - Y |
|                        | 22-0458-25-2-01-01-0000 - Y | 22-0458-25-4-02-02-0000 - Y |
|                        | 22-0458-25-4-03-01-0000 - Y | 22-0458-36-1-01-01-0000 - Y |
|                        | 22-0458-36-2-02-01-0000 - Y | 22-0458-36-4-02-01-0000 - Y |

**Remarks:**

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

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**Remarks:**

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/10/1996.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 136968 RECEIVED 03/03/2014.

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 03/16/2015, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY USA IN TRUST FOR CROW TRIBE, ELIAS HUGS & MICHEAL J BROWN.

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.