

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: 43O 186632-00 RESERVED CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: BOZEMAN TRAIL DITCH CO
% SUNLIGHT RANCH CO
431 PASS CREEK ROAD
PARKMAN, WY 82838

Priority Date: MAY 7, 1868

Enforceable Priority Date: MAY 7, 1868

Type of Historical Right: RESERVED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 85.00 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 2,939.40

Source Name: LITTLE BIGHORN 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		NWSWNE	11	9S	34E	BIG HORN

Period of Diversion: MAY 1 TO NOVEMBER 1

Diversion Means: HEADGATE

Ditch Name: BOZEMAN TRAIL DITCH

Period of Use: MAY 1 to NOVEMBER 1

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	245.50		SW	15	8S	35E	BIG HORN
2	5.00		S2	16	8S	35E	BIG HORN
3	102.00		E2	20	8S	35E	BIG HORN
4	326.80			21	8S	35E	BIG HORN
5	93.00		W2	22	8S	35E	BIG HORN
6	149.00		W2	28	8S	35E	BIG HORN
7	539.50			29	8S	35E	BIG HORN
8	545.60			31	8S	35E	BIG HORN
9	331.10			32	8S	35E	BIG HORN
10	224.00		NE	1	9S	34E	BIG HORN
11	19.60		NE	11	9S	34E	BIG HORN
12	15.00		S2	12	9S	34E	BIG HORN
13	7.00		S2	2	9S	35E	BIG HORN
14	8.00		NWNW	5	9S	35E	BIG HORN
15	236.30		N2	6	9S	35E	BIG HORN
16	9.00		SW	6	9S	35E	BIG HORN
17	83.00		SE	30	9S	35E	BIG HORN

Total: 2,939.40

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 7/16/2002: PLACE OF USE AND MAXIMUM ACRES.

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.

Remarks:

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.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 430 185505 00 & 430 186632 00.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON CROW TRUST LAND.

THE BIG HORN COUNTY WATER RESOURCES SURVEY (1947) APPEARS TO INDICATE 1437.95 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 179155 & 179169 , DATED 9/26/1980 , APPEARS TO INDICATE 2540.56 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED NOTICE OF APPROPRIATION IS OCTOBER 03, 1916.