

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 191395-00 STATEMENT OF CLAIM
Version: 2 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: DONALD R LEE
DECEASED
PO BOX 95
BILLINGS, MT 59103-0095

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

Type of Historical Right: USE

Purpose (use): STOCK
Maximum Flow Rate: 1.50 GPM

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: SPRING, UNNAMED TRIBUTARY OF BIG WOODY CREEK, WEST FORK
Source Type: GROUNDWATER

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		NE	33	3S	28E	YELLOWSTONE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: DEVELOPED SPRING

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			NE	33	3S	28E	YELLOWSTONE

Geocodes/Valid: 03-0728-33-1-01-01-0000 - 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.

CLAIM WAS IMPROPERLY DESIGNATED TO BASIN 43E AND WAS INCLUDED IN THE PRELIMINARY DECREE ISSUED 02/25/2010.

DURING THE EXAMINATION OF BASIN 43P, DNRC DETERMINED THAT THE ORIGINAL CODING FOR THIS RIGHT AS A RESERVED RIGHT WAS NOT CORRECT AND SHOULD BE A USE RIGHT.

AS OF 04/02/2015 , THIS WATER RIGHT APPEARS TO BE OWNED BY DONALD R LEE JR, PO BOX 95, BILLINGS, MT 59103.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE AFFIDAVIT STATES THE DEVELOPED SPRING WAS COMPLETED IN AUGUST 1954.

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.