

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 27972-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
ROWDY L ALEXANDER
HC 42 BOX 675
BUSBY, MT 59016

WHISPER ALEXANDER
HC 42 BOX 675
BUSBY, MT 59016

LACEY ALEXANDER
HC 42 BOX 675
BUSBY, MT 59016

Priority Date: OCTOBER 31, 1887
Enforceable Priority Date: OCTOBER 31, 1887

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 8.22 CFS
THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE.
THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

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: 217.00

Source Name: ROSEBUD CREEK
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		NESESE	23	4S	38E	BIG HORN

Period of Diversion: MARCH 15 TO NOVEMBER 15

Diversion Means: HEADGATE

Ditch Name: O. D. DITCH

Period of Use: MARCH 15 to NOVEMBER 15

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	5.00		SE	13	4S	38E	BIG HORN
2	104.40		SW	13	4S	38E	BIG HORN
3	43.50		NE	14	4S	38E	BIG HORN
4	64.10		SE	14	4S	38E	BIG HORN
Total:	217.00						

Geocodes/Valid: 22-0644-13-3-01-01-0000 - Y 22-0644-13-3-03-01-0000 - Y
22-0644-13-3-03-03-0000 - Y 22-0644-14-4-01-01-0000 - 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 NORTHERN CHEYENNE INDIAN RESERVATION.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/28/1996.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 109955 RECEIVED 05/10/2012.

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

Remarks:

AS OF 09/27/2011 , THIS WATER RIGHT APPEARS TO BE OWNED BY ROWDY L. ALEXANDER, HC 42 BOX 675, BUSBY, MT., 59016-9709.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/09/2012, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY USA IN TRUST FOR CHEYENNE TRIBE.

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

USDA AERIAL PHOTOGRAPH NO(S). 379-160 , DATED 10/04/1980 , APPEARS TO INDICATE 198.53 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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