

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 181409-00 RESERVED CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: PADLOCK RANCH CO
8420 US HWY 14
RANCHESTER, WY 82839-9703

Priority Date: MAY 7, 1868

Enforceable Priority Date: MAY 7, 1868

Type of Historical Right: RESERVED

Purpose (use): IRRIGATION

Irrigation Type: WATER SPREADING

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 40.00 AC-FT

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 40.00

Source Name: UNNAMED TRIBUTARY OF ROSEBUD CREEK, SOUTH FORK

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		SESESE	4	8S	38E	BIG HORN

Period of Diversion:

Diversion Means: DIKE

2		N2NENE	9	8S	38E	BIG HORN
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Period of Diversion:

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	N2NENE	9	8S	38E	BIG HORN

Diversion to Reservoir: DIVERSION # 2

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 1.00 ACRES

Current Capacity: 4.00 ACRE-FEET

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

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	40.00		NWNW	10	8S	38E	BIG HORN

Total: 40.00

Geocodes/Valid: 22-0291-10-2-01-01-0000 - Y

Remarks:

THIS APPROPRIATION OF WATER TAKES WATER FROM THE ROSEBUD CREEK DRAINAGE (BASIN 42A) AND USES IT IN THE TONGUE RIVER, ABOVE & INCLUDING HANGING WOMAN CREEK DRAINAGE (BASIN 42B) AND THE TONGUE RIVER, ABOVE & INCLUDING HANGING WOMAN CREEK DRAINAGE (BASIN 42B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

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

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 139929 RECEIVED 03/07/2016.

Remarks:

AS OF 08/06/2007 , THIS WATER RIGHT APPEARS TO BE OWNED BY CARTER MIKLOVICH, PO BOX 152, LODGE GRASS, MT 59050.

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.

USDA AERIAL PHOTOGRAPH NO(S). 479-26 , DATED 10/05/1980 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). MA-9 92 , DATED 00/00/1944 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED SUBMITTED AFFADAVIT IS APRIL 16, 1920.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

IT IS NOT CLEAR WHETHER THIS CLAIM IS FOR A RESERVED WATER RIGHT OR A STATE BASED RIGHT.

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.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.