

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 120142-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: SUNLIGHT RANCH CO
PO BOX 30825
SALT LAKE CITY, UT 84130-0825

Priority Date: MAY 7, 1868

Enforceable Priority Date: MAY 7, 1868

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 9.00 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: 280.00

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</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	36	9S	33E	BIG HORN

Period of Diversion: MAY 15 TO SEPTEMBER 20

Diversion Means: HEADGATE

Ditch Name: POWERS UPPER DITCH

Period of Use: MAY 15 to SEPTEMBER 20

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SESESE	25	9S	33E	BIG HORN
2	5.00		NENENE	36	9S	33E	BIG HORN
3	25.00		SESW	36	9S	33E	BIG HORN
4	230.00			30	9S	34E	BIG HORN
Total:	280.00						

Geocodes/Valid: 22-0202-25-4-04-01-0000 - Y 22-0202-36-1-01-01-0000 - Y
22-0202-36-1-03-01-0000 - Y 22-0203-30-1-01-01-0000 - Y
22-0203-30-1-03-03-0000 - Y 22-0203-30-2-01-01-0000 - Y
22-0203-30-2-03-01-0000 - Y 22-0203-30-3-04-01-0000 - Y

Remarks:

THIS CLAIM BY AN INDIVIDUAL AND BASED ON STATE LAW WAS EXAMINED PURSUANT TO WATER COURT ORDER DATED (08/10/198) AND PRIOR TO THE TRANSFER OF THIS CLAIM TO THE CROW TRIBE. 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.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/22/1988.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 116140 RECEIVED 07/23/2010.

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.

Remarks:

AS OF 10/22/2008 , THIS WATER RIGHT APPEARS TO BE OWNED BY MILLIE SERNA, PO BOX 85, DAYTON, WY 82836-0085.

AS OF 10/22/2008 , THIS WATER RIGHT APPEARS TO BE OWNED BY SUNLIGHT RANCH COMPANY, PO BOX 30825, SALT LAKE CITY, UT, 84130-0825.

AS OF 10/22/2008 , THIS WATER RIGHT APPEARS TO BE OWNED BY KMH RANCH CO, PO BOX 1529, CHEYENE, WY, 82003-1529.

AS OF 10/22/2008 , THIS WATER RIGHT APPEARS TO BE OWNED BY CROW TRIBE IN TRUST, PO BOX 69, CROW AGENCY, MT, 59022-0069.

THE CLAIMED PERIOD OF USE APPEARS INADEQUATE FOR THE USUAL GROWING SEASON IN THIS AREA WHICH IS APRIL 15 TO OCTOBER 30.

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

USDA AERIAL PHOTOGRAPH NO(S). 179-89 , DATED 09/26/1980 , APPEARS TO INDICATE 150.09 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED AFFIDAVIT IS 08/01/1930.