

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 185015-00 RESERVED CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: CROW INDIAN RESERVATION
CROW TRIBE WATER RESOURCES
TITUS TAKES GUN, DIRECTOR
PO BOX 159
CROW AGENCY, MT 59022-0159

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

Type of Historical Right: RESERVED

Purpose (use): STOCK

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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: SOAP CREEK
Source Type: SURFACE WATER

THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF SOAP CREEK.

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		W2	2	6S	32E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2		NE	10	6S	32E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
3		S2	10	6S	32E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4		NW	11	6S	32E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
5			15	6S	32E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
6		N2	22	6S	32E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
7		S2	22	6S	32E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
8		W2	27	6S	32E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
9		N2	34	6S	32E	BIG HORN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

10		SE	34	6S	32E	BIG HORN
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 to DECEMBER 31

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			W2	2	6S	32E	BIG HORN
2			NE	10	6S	32E	BIG HORN
3			S2	10	6S	32E	BIG HORN
4			NW	11	6S	32E	BIG HORN
5				15	6S	32E	BIG HORN
6			N2	22	6S	32E	BIG HORN
7			S2	22	6S	32E	BIG HORN
8			W2	27	6S	32E	BIG HORN
9			N2	34	6S	32E	BIG HORN
10			SE	34	6S	32E	BIG HORN

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.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/10/1996.

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.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 03/18/2015, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY KELLEY R KEHLER, RICHARD L KEHLER JR TRUSTEE & USA IN TRUST FOR CROW TRIBE.

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.