

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 30064820 COMPACT

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** ANY PURPOSE  
ANY PURPOSE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

**Maximum Flow Rate:**

**Maximum Volume:** 19,530.00 AC-FT

AS SET FORTH IN ARTICLE II.A.3.C OF THE COMPACT, THE TRIBE HAS A RIGHT TO DIVERT OR USE OR PERMIT THE DIVERSION OR USE FROM ROSEBUD CREEK AND ITS TRIBUTARIES, FOR ANY PURPOSE, OF UP TO 19,530 ACRE- FEET OF WATER PER YEAR, OR ENOUGH WATER TO IRRIGATE 6,510 ACRES OF LAND PER YEAR, WHICHEVER IS LESS, WITH A PRIORITY DATE OF OCTOBER 1, 1881.

**Maximum Acres:** 6,510.00

**Source Name:** ROSEBUD CREEK

**Source Type:** ALL NATURALLY OCCURRING WATER

**Source Name:** UNNAMED TRIBUTARY OF ROSEBUD CREEK

**Source Type:** ALL NATURALLY OCCURRING WATER

SOURCE TYPES ARE DIRECT FLOW, ALLUVIAL GROUNDWATER AND NONALLUVIAL GROUNDWATER AS DEFINED IN THE COMPACT, AND §85-20-301, MCA. DIRECT FLOW OF THE TONGUE RIVER IS DEFINED AS "WATER IN THE TONGUE RIVER AND ITS TRIBUTARIES THAT HAS NOT BEEN STORED IN THE TONGUE RIVER RESERVOIR". ALLUVIAL GROUNDWATER IS DEFINED AS "WATER LOCATED BELOW THE LAND SURFACE WITHIN THE QUATERNARY HYDROSTRATIGRAPHIC UNIT THAT BORDERS OR UNDERLIES MAJOR PERENNIAL AND INTERMITTENT STREAMS IN THE TONGUE RIVER AND ROSEBUD CREEK BASINS. THIS UNIT IS COMPOSED OF UNCONSOLIDATED ALLUVIAL DEPOSITS OF CLAY, SILT, SAND, AND GRAVEL. FOR THE PURPOSES OF THIS COMPACT, ALL OTHER WATER BELOW THE LAND SURFACE WILL BE DEEMED NONALLUVIAL GROUNDWATER".

THE TRIBE MAY WITHDRAW AND USE NON-ALLUVIAL GROUNDWATER IN LIEU OF SURFACE WATER UNDER ARTICLE II.A.4.A OF THE COMPACT OR PURSUANT TO STATE LAW AT THE ELECTION OF THE TRIBE.

SOURCE INCLUDES TRIBUTARIES WITHIN THE ROSEBUD CREEK BASIN.

**Point of Diversion and Means of Diversion:**

ID                      Govt Lot                      Qtr Sec                      Sec                      Twp                      Rge                      County

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	8	2S	41E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Source Name:** ROSEBUD CREEK

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

2		SW	8	2S	41E	ROSEBUD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Source Name:** UNNAMED TRIBUTARY OF ROSEBUD CREEK

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

ANY POINT OF DIVERSION AND MEANS OF DIVERSION AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE ROSEBUD CREEK EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE CONSISTENT WITH THE COMPACT.

ROSEBUD CREEK ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42A IN SECTION 36, TOWNSHIP 5 SOUTH RANGE 38 EAST, BIG HORN COUNTY, MONTANA.

**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>
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ANY PLACE OF USE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE PROVIDED THE TRIBE SHALL NOT TRANSFER WATER NATURALLY ARISING IN ROSEBUD CREEK OR ITS TRIBUTARIES OFF THE RESERVATION.

**Remarks:**

THE TRIBE MAY NOT EXERCISE THE WATER RIGHT IN A MANNER THAT ADVERSELY AFFECTS A WATER RIGHT FINALLY DECREED IN ANY GENERAL ADJUDICATION OF THE ROSEBUD CREEK BASIN OR, UNTIL SUCH FINAL DECREE IS ISSUED, A WATER RIGHT RECOGNIZED UNDER STATE LAW, WHICH 1) HAS A PRIORITY DATE OF JUNE 30, 1973 OR EARLIER, AND 2) IS BASED ON THE USE OF AN IRRIGATION SYSTEM IN PLACE AND NOT ABANDONED AS OF JUNE 30, 1973; PROVIDED, THAT THE STATE LAW WATER RIGHTS PROTECTED IN THIS PARAGRAPH SHALL NOT EXCEED: I. NORTH OF THE RESERVATION, 8,100 ACRE-FEET OF WATER PER YEAR OR ENOUGH WATER TO IRRIGATE 2,700 ACRES OF LAND PER YEAR, WHICHEVER IS LESS; AND II. SOUTH OF THE RESERVATION, 540 ACRE- FEET OF WATER PER YEAR, OR ENOUGH WATER TO IRRIGATE 180 ACRES OF LAND PER YEAR, WHICHEVER IS LESS.

AS SET FORTH IN ARTICLE II.A.3.D OF THE COMPACT, THE TRIBE SHALL NOT CONSTRUCT, WITHIN THE ROSEBUD CREEK BASIN, ANY DAMS OR IMPOUNDMENTS TO STORE WATER NATURALLY ARISING IN ROSEBUD CREEK AND ITS TRIBUTARIES; PROVIDED, THAT THE TRIBE MAY CONSTRUCT STOCKWATER IMPOUNDMENTS PURSUANT TO PARAGRAPH A.5. OF THIS ARTICLE, AND SUBJECT TO OTHER APPLICABLE PROVISIONS OF THE COMPACT, MAY CONSTRUCT DAMS OR IMPOUNDMENTS WITHIN THE ROSEBUD CREEK BASIN TO STORE WATER FROM SOURCES OUTSIDE THE BASIN, INCLUDING NON-ALLUVIAL GROUNDWATER.

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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 30064821 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** IRRIGATION

**Maximum Flow Rate:**

**Maximum Volume:** 1,800.00 AC-FT

**Maximum Acres:** 600.00

**Source Name:** ROSEBUD CREEK

**Source Type:** ALL NATURALLY OCCURRING WATER

**Source Name:** UNNAMED TRIBUTARY OF ROSEBUD CREEK

**Source Type:** ALL NATURALLY OCCURRING WATER

SOURCE TYPES ARE DIRECT FLOW, ALLUVIAL GROUNDWATER AND NONALLUVIAL GROUNDWATER AS DEFINED IN THE COMPACT, AND §85-20-301, MCA. DIRECT FLOW OF THE TONGUE RIVER IS DEFINED AS "WATER IN THE TONGUE RIVER AND ITS TRIBUTARIES THAT HAS NOT BEEN STORED IN THE TONGUE RIVER RESERVOIR". ALLUVIAL GROUNDWATER IS DEFINED AS "WATER LOCATED BELOW THE LAND SURFACE WITHIN THE QUATERNARY HYDROSTRATIGRAPHIC UNIT THAT BORDERS OR UNDERLIES MAJOR PERENNIAL AND INTERMITTENT STREAMS IN THE TONGUE RIVER AND ROSEBUD CREEK BASINS. THIS UNIT IS COMPOSED OF UNCONSOLIDATED ALLUVIAL DEPOSITS OF CLAY, SILT, SAND, AND GRAVEL. FOR THE PURPOSES OF THIS COMPACT, ALL OTHER WATER BELOW THE LAND SURFACE WILL BE DEEMED NONALLUVIAL GROUNDWATER".

THE TRIBE MAY WITHDRAW AND USE NON-ALLUVIAL GROUNDWATER IN LIEU OF SURFACE WATER UNDER ARTICLE II.A.4.A OF THE COMPACT OR PURSUANT TO STATE LAW AT THE ELECTION OF THE TRIBE.

SOURCE INCLUDES TRIBUTARIES WITHIN THE ROSEBUD CREEK BASIN.

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	8		2S	41E	ROSEBUD

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Source Name:** ROSEBUD CREEK

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		SW	8	2S	41E	ROSEBUD

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Source Name:** UNNAMED TRIBUTARY OF ROSEBUD CREEK

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE ROSEBUD CREEK EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

ANY POINT OF DIVERSION AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE, PROVIDED THAT THE TRIBE SHALL NOT TRANSFER WATER NATURALLY ARISING IN ROSEBUD CREEK OR ITS TRIBUTARIES FOR USE OFF THE RESERVATION.

ROSEBUD CREEK ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42A IN SECTION 36, TOWNSHIP 5 SOUTH RANGE 38 EAST, BIG HORN COUNTY, MONTANA.

**Period of Use:** APRIL 15 to OCTOBER 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>
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ANY PLACE OF USE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE PROVIDED THE TRIBE SHALL NOT TRANSFER WATER NATURALLY ARISING IN ROSEBUD CREEK OR ITS TRIBUTARIES OFF THE RESERVATION.

**Remarks:**

AS SET FORTH IN ARTICLE II.A.3.D OF THE COMPACT, THE TRIBE SHALL NOT CONSTRUCT, WITHIN THE ROSEBUD CREEK BASIN, ANY DAMS OR IMPOUNDMENTS TO STORE WATER NATURALLY ARISING IN ROSEBUD CREEK AND ITS TRIBUTARIES; PROVIDED, THAT THE TRIBE MAY CONSTRUCT STOCKWATER IMPOUNDMENTS PURSUANT TO ARTICLE II.A.5. OF THE COMPACT, AND SUBJECT TO OTHER APPLICABLE PROVISIONS OF THE COMPACT, MAY CONSTRUCT DAMS OR IMPOUNDMENTS WITHIN THE ROSEBUD CREEK BASIN TO STORE WATER FROM SOURCES OUTSIDE THE BASIN, INCLUDING NON-ALLUVIAL GROUNDWATER.

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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 30064822 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** IRRIGATION

**Maximum Flow Rate:**

**Maximum Volume:**

**Source Name:** UNNAMED TRIBUTARY OF ROSEBUD CREEK

**Source Type:** GROUNDWATER

SOURCE INCLUDES TRIBUTARIES WITH THE ROSEBUD CREEK BASIN.

**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		SW	8	2S	41E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** SUBIRRIGATION

**Diversion Type:** PRIMARY

ANY NATURAL SUBIRRIGATION OCCURRING ON THE NORTHERN CHEYENNE RESERVATION.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE ROSEBUD CREEK EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

ROSEBUD CREEK ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42A IN SECTION 36, TOWNSHIP 5 SOUTH RANGE 38 EAST, BIG HORN COUNTY, MONTANA.

**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>

ANY NATURAL SUBIRRIGATION OCCURRING ON THE NORTHERN CHEYENNE RESERVATION.

**Remarks:**

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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 30064823 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** OTHER PURPOSE  
EXISTING NON-AGRICULTURAL USES  
EXISTING TRIBAL AND INDIVIDUAL INDIAN STOCKWATER, DOMESTIC, AND MUNICIPAL WATER USES ON THE RESERVATION AS OF SEPTEMBER 30, 1992 (RATIFICATION DATE)

**Maximum Flow Rate:**

**Maximum Volume:**

**Source Name:** ALL SOURCES WITHIN PLACE OF USE

**Source Type:** ALL NATURALLY OCCURRING WATER

SOURCE INCLUDES TRIBUTARIES WITHIN THE ROSEBUD CREEK BASIN.

**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		SW	8	2S	41E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

ANY POINT OF DIVERSION ON THE NORTHERN CHEYENNE RESERVATION.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE ROSEBUD CREEK EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

ROSEBUD CREEK ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42A IN SECTION 36, TOWNSHIP 5 SOUTH RANGE 38 EAST, BIG HORN COUNTY, MONTANA

**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>

ANY PLACE OF USE ON THE NORTHERN CHEYENNE RESERVATION.



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**Remarks:**

EXISTING NON-AGRICULTURAL USES ARE IN ADDITION TO ALL OTHER WATER RIGHTS OF THE TRIBE AND ARE GOVERNED BY THE TERMS OF THE COMPACT.

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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 30064824 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881  
**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** STOCK

**Maximum Flow Rate:**

**Maximum Volume:**

THE CAPACITY OF ANY INDIVIDUAL IMPOUNDMENT SHALL NOT EXCEED 15 ACRE-FEET

**Source Name:** ALL SOURCES WITHIN PLACE OF USE  
**Source Type:** SURFACE WATER

NONPERENNIAL SOURCES IN BASIN 42A ON THE RESERVATION

**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		SW	8	2S	41E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Diversion Type:** PRIMARY

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE ROSEBUD CREEK EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

THE TRIBE MAY CONSTRUCT, OR PERMIT THE CONSTRUCTION OF, STOCKWATER IMPOUNDMENTS ON THE RESERVATION WHERE THE CAPACITY OF THE IMPOUNDMENT IS LESS THAN 15 ACRE-FEET AND THE IMPOUNDMENT IS CONSTRUCTED ON A SOURCE OTHER THAN A PERENNIAL STREAM.

ROSEBUD CREEK ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42A IN SECTION 36, TOWNSHIP 5 SOUTH RANGE 38 EAST, BIG HORN COUNTY, MONTANA

**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>

ANY STOCK IMPOUNDMENTS OCCURRING ON THE NORTHERN CHEYENNE

RESERVATION

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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 30064825 COMPACT

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** ANY PURPOSE

**Maximum Flow Rate:**  
THE MAXIMUM FLOW RATE OF ANY INDIVIDUAL WELL OR MANIFOLD WELL SYSTEM SHALL NOT EXCEED 100 GPM

**Maximum Volume:**

**Source Name:** UNNAMED TRIBUTARY OF ROSEBUD CREEK

**Source Type:** GROUNDWATER

ALLUVIAL GROUNDWATER FROM WELLS OR MANIFOLD WELL SYSTEMS OCCURRING ON THE NORTHERN CHEYENNE RESERVATION IN BASIN 42A.

**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		SW	8	2S	41E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Diversion Type:** PRIMARY

ANY PLACE AND MEANS OF DIVERSION AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE, PROVIDED THAT SUCH A PLACE AND MEANS OF DIVERSION IS A WELL OR MANIFOLD WELL SYSTEM LOCATED ON THE NORTHERN CHEYENNE RESERVATION.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE ROSEBUD CREEK EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

ROSEBUD CREEK ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42A IN SECTION 36, TOWNSHIP 5 SOUTH RANGE 38 EAST, BIG HORN COUNTY, MONTANA

**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>
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ANY SMALL ALLUVIAL GROUNDWATER OCCURRING ON THE NORTHERN  
CHEYENNE RESERVATION

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42B 30064826 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** ANY PURPOSE  
ANY PURPOSE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

**Maximum Flow Rate:**

**Maximum Volume:** 12,500.00 AC-FT

SUBJECT TO THE TERMS OF THE COMPACT, THE TRIBAL WATER RIGHT IN THE TONGUE RIVER BASIN CONSISTS OF THE RIGHT TO DIVERT OR USE OR TO PERMIT THE DIVERSION OR USE OF UP TO 32,500 ACRE-FEET PER YEAR, FROM A COMBINATION OF DIRECT FLOW, STORAGE, AND EXCHANGE WATER (ART. II.A.2).

**Source Name:** TONGUE RIVER

**Source Type:** ALL NATURALLY OCCURRING WATER

**Source Name:** UNNAMED TRIBUTARY OF TONGUE RIVER

**Source Type:** ALL NATURALLY OCCURRING WATER

SOURCE TYPES ARE DIRECT FLOW, ALLUVIAL GROUNDWATER AND NONALLUVIAL GROUNDWATER AS DEFINED IN THE COMPACT, AND §85-20-301, MCA. DIRECT FLOW OF THE TONGUE RIVER IS DEFINED AS "WATER IN THE TONGUE RIVER AND ITS TRIBUTARIES THAT HAS NOT BEEN STORED IN THE TONGUE RIVER RESERVOIR". ALLUVIAL GROUNDWATER IS DEFINED AS "WATER LOCATED BELOW THE LAND SURFACE WITHIN THE QUATERNARY HYDROSTRATIGRAPHIC UNIT THAT BORDERS OR UNDERLIES MAJOR PERENNIAL AND INTERMITTENT STREAMS IN THE TONGUE RIVER AND ROSEBUD CREEK BASINS. THIS UNIT IS COMPOSED OF UNCONSOLIDATED ALLUVIAL DEPOSITS OF CLAY, SILT, SAND, AND GRAVEL. FOR THE PURPOSES OF THIS COMPACT, ALL OTHER WATER BELOW THE LAND SURFACE WILL BE DEEMED NONALLUVIAL GROUNDWATER".

THE TRIBE MAY WITHDRAW AND USE NON-ALLUVIAL GROUNDWATER IN LIEU OF SURFACE WATER UNDER ARTICLE II.A.4.A OF THE COMPACT OR PURSUANT TO STATE LAW AT THE ELECTION OF THE TRIBE.

SOURCE INCLUDES TRIBUTARIES WITHIN THE TONGUE RIVER BASIN.

**Point of Diversion and Means of Diversion:**

ID                      Govt Lot                      Qtr Sec      Sec      Twp      Rge      County

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			10	2S	44E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Source Name:** TONGUE RIVER

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

2			10	2S	44E	ROSEBUD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Source Name:** UNNAMED TRIBUTARY OF TONGUE RIVER

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

ANY MEANS OF DIVERSION AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE TONGUE RIVER EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

TONGUE RIVER ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42C IN SECTION 25, TOWNSHIP 5 SOUTH RANGE 42 EAST, ROSEBUD COUNTY, MONTANA. PERIOD OF USE: JANUARY 1 TO DECEMBER 31

**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>

ANY PLACE OF USE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE SUBJECT TO THE TERMS AND CONDITIONS OF THE COMPACT AND DECREE.

**Remarks:**

AS SET FORTH IN ARTICLE II.A.2.C.I OF THE COMPACT, THE TRIBAL WATER RIGHT IN THE TONGUE RIVER SHALL BE SUBJECT TO SHORTAGES DUE TO NATURAL LOW FLOWS THAT ARE CONSISTENT WITH THE PERIOD OF RECORD USED IN THE TONGUE RIVER WATER MODEL (AS DEFINED IN THE COMPACT) IN DIVERSION AMOUNTS NOT TO EXCEED 50% IN ANY ONE YEAR AND 100% CUMULATIVE IN ANY TEN YEAR PERIOD.

AS SET OUT IN ARTICLE II.A.2.A OF THE COMPACT, THE TRIBE'S ANNUAL DEPLETION OF ITS DIRECT FLOW WATER RIGHT IN THE TONGUE RIVER AND ITS TRIBUTARIES SHALL NOT EXCEED 75% OF THE AMOUNT DIVERTED, OR 9,375 ACRE-FEET PER YEAR, AND MAY NOT BE USED IN A MANNER THAT ADVERSELY AFFECTS: A. MILES CITY DECREE WATER RIGHTS (AS THAT TERM IS DEFINED IN THE COMPACT), OR B. WATER RIGHTS FROM OFF-RESERVATION TRIBUTARIES OF THE TONGUE RIVER, WHICH ARE FINALLY DECREED IN ANY GENERAL ADJUDICATION OF THE TONGUE RIVER, OR ARE RECOGNIZED UNDER STATE LAW UNTIL SUCH FINAL ADJUDICATION, AND WHICH HAVE A PRIORITY DATE OF JUNE 30, 1973 OR EARLIER AND ARE BASED ON THE USE OF AN IRRIGATION SYSTEM IN PLACE AND NOT ABANDONED AS OF JUNE 30, 1973.

THE WATER RIGHT NUMBERS FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT IN TWO BASINS: 42B 30064820 AND 42C 30064822

**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.



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:** 42B 30064827 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** APRIL 21, 1937

**Enforceable Priority Date:** APRIL 21, 1937

EQUAL TO THE MOST SENIOR RIGHT FOR STORED WATER IN THE TONGUE RIVER RESERVOIR.

**Type of Historical Right:** RESERVED

**Purpose (use):** ANY PURPOSE  
ANY PURPOSE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

**Maximum Flow Rate:**

**Maximum Volume:** 20,000.00 AC-FT

SUBJECT TO THE TERMS OF THE COMPACT, THE TRIBAL WATER RIGHT IN THE TONGUE RIVER BASIN CONSISTS OF THE RIGHT TO DIVERT OR USE OR TO PERMIT THE DIVERSION OR USE OF UP TO 32,500 ACRE-FEET PER YEAR, FROM A COMBINATION OF DIRECT FLOW, STORAGE, AND EXCHANGE WATER (ART. II.A.2).

**Source Name:** TONGUE RIVER (TONGUE RIVER RESERVOIR)

**Source Type:** SURFACE WATER

AS SET FORTH IN ART. II.A.2.B OF THE COMPACT, THIS RIGHT MAY BE FULFILLED FROM A COMBINATION OF WATER STORED IN THE TONGUE RIVER RESERVOIR AND EXCHANGE WATER. EXCHANGE WATER IS DEFINED IN THE COMPACT AS "WATER AVAILABLE TO THE TRIBE FROM THE TONGUE RIVER DIRECT FLOW OR FROM THE TONGUE RIVER RESERVOIR STORAGE IN EXCHANGE FOR TRIBAL RETURN FLOWS MADE AVAILABLE TO OTHER TONGUE RIVER WATER USERS".

SOURCE INCLUDES TRIBUTARIES WITHIN THE TONGUE RIVER BASIN.

**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		NWSW	18	8S	41E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Diversion Type:** PRIMARY

ID                      Govt Lot                      Qtr Sec    Sec    Twp    Rge    County

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF THE LOCATION OF THE TONGUE RIVER RESERVOIR DAM. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE. PURSUANT AND SUBJECT TO THE TERMS AND CONDITIONS OF THE COMPACT AND DECREE, THE TRIBE IS ENTITLED TO USE OR PERMIT USE OF THE TRIBAL WATER RIGHT WITH ANY POINT OF DIVERSION OR ANY PLACE OF USE ON OR OFF THE RESERVATION.

**Reservoir:**                      ON STREAM                      **Reservoir Name** TONGUE RIVER RESERVOIR

Govt Lot                      Qtr Sec    Sec    Twp    Rge    County  
NWSW                      18                      8S                      41E    BIG HORN

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:**                      JANUARY 1 to DECEMBER 31

**Place of Use:**

ID                      Acres    Govt Lot                      Qtr Sec    Sec    Twp    Rge    County

ANY PLACE OF USE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

**Remarks:**

AS SET FORTH IN ARTICLE II.A.2.C.I OF THE COMPACT, THE TRIBAL WATER RIGHT IN THE TONGUE RIVER SHALL BE SUBJECT TO SHORTAGES DUE TO NATURAL LOW FLOWS THAT ARE CONSISTENT WITH THE PERIOD OF RECORD USED IN THE TONGUE RIVER WATER MODEL (AS DEFINED IN THE COMPACT) IN DIVERSION AMOUNTS NOT TO EXCEED 50% IN ANY ONE YEAR AND 100% CUMULATIVE IN ANY TEN-YEAR PERIOD.

TRIBAL USE OF STORED WATER FROM THE TONGUE RIVER RESERVOIR SHALL BE MEASURED AT THE RESERVOIR.

AS SET FORTH IN ARTICLE II.A.2.B, ANY REDUCTION IN THE TONGUE RIVER RESERVOIR STORED WATER RESULTING FROM TRIBAL DIVERSIONS OF TONGUE RIVER DIRECT FLOWS SHALL NOT AFFECT STATE CONTRACT RIGHTS, AS DEFINED IN THE COMPACT, BUT SHALL BE SATISFIED EXCLUSIVELY FROM THE TRIBE'S TONGUE RIVER RESERVOIR STORED WATER AND/OR EXCHANGE WATER, WITH THE EXCEPTION THAT DECREASES IN THE AMOUNT OF WATER STORED IN THE TONGUE RIVER RESERVOIR THAT ARE CAUSED BY: (I) SEDIMENTATION; (II) RESERVOIR INFLOWS LOWER THAT THOSE ASSUMED IN THE TONGUE RIVER WATER MODEL; AND (III) NORMAL AND EXPECTED MAINTENANCE OF THE TONGUE RIVER DAM AND ASSOCIATED STRUCTURES SHALL BE SHARED PRO RATA AMONG ALL USERS OF STORED WATER INCLUDING THE TRIBE.

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42B 30064828 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** IRRIGATION

**Maximum Flow Rate:**

**Maximum Volume:**

**Source Name:** UNNAMED TRIBUTARY OF TONGUE RIVER

**Source Type:** GROUNDWATER

SOURCE INCLUDES TRIBUTARIES WITHIN THE TONGUE RIVER BASIN.

**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			36	5S	40E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** SUBIRRIGATION

**Diversion Type:** PRIMARY

ANY NATURAL SUBIRRIGATION OCCURRING ON THE NORTHERN CHEYENNE RESERVATION.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE THE TONGUE RIVER TRIBUTARIES ABOVE HANGING WOMAN CREEK EXIT THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

**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>
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ANY NATURAL SUBIRRIGATION OCCURRING ON THE NORTHERN CHEYENNE RESERVATION.

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**Remarks:**

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42B 30064829 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** OTHER PURPOSE  
EXISTING NON-AGRICULTURAL USES  
EXISTING TRIBAL AND INDIVIDUAL INDIAN STOCKWATER, DOMESTIC, AND MUNICIPAL WATER USES ON THE RESERVATION AS OF SEPTEMBER 30, 1992 (RATIFICATION DATE)

**Maximum Flow Rate:**

**Maximum Volume:**

**Source Name:** ALL SOURCES WITHIN PLACE OF USE

**Source Type:** ALL NATURALLY OCCURRING WATER

SOURCE INCLUDES TRIBUTARIES WITHIN THE TONGUE RIVER BASIN.

**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			36	5S	40E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

ANY POINT OF DIVERSION ON THE NORTHERN CHEYENNE RESERVATION.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE THE TONGUE RIVER TRIBUTARIES ABOVE HANGING WOMAN CREEK EXIT THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

**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>

ANY PLACE OF USE ON THE NORTHERN CHEYENNE RESERVATION.

**Remarks:**

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**Remarks:**

EXISTING NON-AGRICULTURAL USES ARE IN ADDITION TO ALL OTHER WATER RIGHTS OF THE TRIBE AND ARE GOVERNED BY THE TERMS OF THE COMPACT.

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42B 30064830 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** STOCK

**Maximum Flow Rate:**

**Maximum Volume:**

THE CAPACITY OF ANY INDIVIDUAL IMPOUNDMENT SHALL NOT EXCEED 15 ACRE-FEET

**Source Name:** ALL SOURCES WITHIN PLACE OF USE

**Source Type:** SURFACE WATER

NONPERENNIAL SOURCES IN BASIN 42B ON THE RESERVATION

**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			36	5S	40E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Diversion Type:** PRIMARY

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE THE TONGUE RIVER TRIBUTARIES ABOVE HANGING WOMAN CREEK EXIT THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

THE TRIBE MAY CONSTRUCT, OR PERMIT THE CONSTRUCTION OF, STOCKWATER IMPOUNDMENTS ON THE RESERVATION WHERE THE CAPACITY OF THE IMPOUNDMENT IS LESS THAN 15 ACRE-FEET AND THE IMPOUNDMENT IS CONSTRUCTED ON A SOURCE OTHER THAN A PERENNIAL STREAM.

**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>
							ANY STOCK IMPOUNDMENTS OCCURRING ON THE NORTHERN CHEYENNE RESERVATION

**Remarks:**

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.



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:** 42B 30064831 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** ANY PURPOSE

**Maximum Flow Rate:**  
THE MAXIMUM FLOW RATE OF ANY INDIVIDUAL WELL OR MANIFOLD WELL SYSTEM SHALL NOT EXCEED 100 GPM

**Maximum Volume:**

**Source Name:** UNNAMED TRIBUTARY OF TONGUE RIVER  
**Source Type:** GROUNDWATER

ALLUVIAL GROUNDWATER FROM WELLS OR MANIFOLD WELL SYSTEMS OCCURRING ON THE NORTHERN CHEYENNE RESERVATION IN BASIN 42B.

**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			36	5S	40E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Diversion Type:** PRIMARY

ANY PLACE AND MEANS OF DIVERSION AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE, PROVIDED THAT SUCH A PLACE AND MEANS OF DIVERSION IS A WELL OR MANIFOLD WELL SYSTEM LOCATED ON THE NORTHERN CHEYENNE RESERVATION.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE THE TONGUE RIVER, ABOVE HANGING WOMAN CREEK EXIT THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

**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>
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ANY SMALL ALLUVIAL GROUNDWATER OCCURRING ON THE NORTHERN CHEYENNE RESERVATION

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42C 30064832 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** ANY PURPOSE  
ANY PURPOSE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

**Maximum Flow Rate:**

**Maximum Volume:** 12,500.00 AC-FT

SUBJECT TO THE TERMS OF THE COMPACT, THE TRIBAL WATER RIGHT IN THE TONGUE RIVER BASIN CONSISTS OF THE RIGHT TO DIVERT OR USE OR TO PERMIT THE DIVERSION OR USE OF UP TO 32,500 ACRE-FEET PER YEAR, FROM A COMBINATION OF DIRECT FLOW, STORAGE, AND EXCHANGE WATER (ART. II.A.2).

**Source Name:** TONGUE RIVER

**Source Type:** ALL NATURALLY OCCURRING WATER

**Source Name:** UNNAMED TRIBUTARY OF TONGUE RIVER

**Source Type:** ALL NATURALLY OCCURRING WATER

SOURCE TYPES ARE DIRECT FLOW, ALLUVIAL GROUNDWATER AND NONALLUVIAL GROUNDWATER AS DEFINED IN THE COMPACT, AND §85-20-301, MCA. DIRECT FLOW OF THE TONGUE RIVER IS DEFINED AS "WATER IN THE TONGUE RIVER AND ITS TRIBUTARIES THAT HAS NOT BEEN STORED IN THE TONGUE RIVER RESERVOIR". ALLUVIAL GROUNDWATER IS DEFINED AS "WATER LOCATED BELOW THE LAND SURFACE WITHIN THE QUATERNARY HYDROSTRATIGRAPHIC UNIT THAT BORDERS OR UNDERLIES MAJOR PERENNIAL AND INTERMITTENT STREAMS IN THE TONGUE RIVER AND ROSEBUD CREEK BASINS. THIS UNIT IS COMPOSED OF UNCONSOLIDATED ALLUVIAL DEPOSITS OF CLAY, SILT, SAND, AND GRAVEL. FOR THE PURPOSES OF THIS COMPACT, ALL OTHER WATER BELOW THE LAND SURFACE WILL BE DEEMED NONALLUVIAL GROUNDWATER".

THE TRIBE MAY WITHDRAW AND USE NON-ALLUVIAL GROUNDWATER IN LIEU OF SURFACE WATER UNDER ARTICLE II.A.4.A OF THE COMPACT OR PURSUANT TO STATE LAW AT THE ELECTION OF THE TRIBE.

SOURCE INCLUDES TRIBUTARIES WITHIN THE TONGUE RIVER BASIN.

**Point of Diversion and Means of Diversion:**

ID                      Govt Lot                      Qtr Sec    Sec    Twp    Rge    County

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			10	2S	44E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Source Name:** TONGUE RIVER

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

2			10	2S	44E	ROSEBUD
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Source Name:** UNNAMED TRIBUTARY OF TONGUE RIVER

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

ANY MEANS OF DIVERSION AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE TONGUE RIVER EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

TONGUE RIVER ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42C IN SECTION 25, TOWNSHIP 5 SOUTH RANGE 42 EAST, ROSEBUD COUNTY, MONTANA. PERIOD OF USE: JANUARY 1 TO DECEMBER 31

**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>
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ANY PLACE OF USE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE SUBJECT TO THE TERMS AND CONDITIONS OF THE COMPACT AND DECREE.

**Remarks:**

AS SET FORTH IN ARTICLE II.A.2.C.I OF THE COMPACT, THE TRIBAL WATER RIGHT IN THE TONGUE RIVER SHALL BE SUBJECT TO SHORTAGES DUE TO NATURAL LOW FLOWS THAT ARE CONSISTENT WITH THE PERIOD OF RECORD USED IN THE TONGUE RIVER WATER MODEL (AS DEFINED IN THE COMPACT) IN DIVERSION AMOUNTS NOT TO EXCEED 50% IN ANY ONE YEAR AND 100% CUMULATIVE IN ANY TEN YEAR PERIOD.

AS SET OUT IN ARTICLE II.A.2.A OF THE COMPACT, THE TRIBE'S ANNUAL DEPLETION OF ITS DIRECT FLOW WATER RIGHT IN THE TONGUE RIVER AND ITS TRIBUTARIES SHALL NOT EXCEED 75% OF THE AMOUNT DIVERTED, OR 9,375 ACRE-FEET PER YEAR, AND MAY NOT BE USED IN A MANNER THAT ADVERSELY AFFECTS: A. MILES CITY DECREE WATER RIGHTS (AS THAT TERM IS DEFINED IN THE COMPACT), OR B. WATER RIGHTS FROM OFF-RESERVATION TRIBUTARIES OF THE TONGUE RIVER, WHICH ARE FINALLY DECREED IN ANY GENERAL ADJUDICATION OF THE TONGUE RIVER, OR ARE RECOGNIZED UNDER STATE LAW UNTIL SUCH FINAL ADJUDICATION, AND WHICH HAVE A PRIORITY DATE OF JUNE 30, 1973 OR EARLIER AND ARE BASED ON THE USE OF AN IRRIGATION SYSTEM IN PLACE AND NOT ABANDONED AS OF JUNE 30, 1973.

THE WATER RIGHT NUMBERS FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT IN TWO BASINS: 42B 30064820 AND 42C 30064822

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42C 30064833 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** IRRIGATION

**Maximum Flow Rate:**

**Maximum Volume:**

**Source Name:** UNNAMED TRIBUTARY OF TONGUE RIVER

**Source Type:** GROUNDWATER

SOURCE INCLUDES TRIBUTARIES WITHIN THE TONGUE RIVER BASIN.

**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			10	2S	44E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** SUBIRRIGATION

**Diversion Type:** PRIMARY

ANY NATURAL SUBIRRIGATION OCCURRING ON THE NORTHERN CHEYENNE RESERVATION.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE TONGUE RIVER EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

TONGUE RIVER ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42C IN SECTION 25, TOWNSHIP 5 SOUTH RANGE 42 EAST, ROSEBUD COUNTY, MONTANA.

**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>

ANY NATURAL SUBIRRIGATION OCCURRING ON THE NORTHERN CHEYENNE RESERVATION.

**Remarks:**

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42C 30064834 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** OTHER PURPOSE  
EXISTING NON-AGRICULTURAL USES  
EXISTING TRIBAL AND INDIVIDUAL INDIAN STOCKWATER, DOMESTIC, AND MUNICIPAL WATER USES ON THE RESERVATION AS OF SEPTEMBER 30, 1992 (RATIFICATION DATE)

**Maximum Flow Rate:**

**Maximum Volume:**

**Source Name:** ALL SOURCES WITHIN PLACE OF USE

**Source Type:** ALL NATURALLY OCCURRING WATER  
SOURCE INCLUDES TRIBUTARIES WITHIN THE TONGUE RIVER BASIN.

**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			10	2S	44E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

ANY POINT OF DIVERSION ON THE NORTHERN CHEYENNE RESERVATION.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE TONGUE RIVER EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

TONGUE RIVER ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42C IN SECTION 25, TOWNSHIP 5 SOUTH RANGE 42 EAST, ROSEBUD COUNTY, MONTANA.

**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>

ANY PLACE OF USE ON THE NORTHERN CHEYENNE RESERVATION.



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**Remarks:**

EXISTING NON-AGRICULTURAL USES ARE IN ADDITION TO ALL OTHER WATER RIGHTS OF THE TRIBE AND ARE GOVERNED BY THE TERMS OF THE COMPACT.

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42C 30064835 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** STOCK

**Maximum Flow Rate:**

**Maximum Volume:**

THE CAPACITY OF ANY INDIVIDUAL IMPOUNDMENT SHALL NOT EXCEED 15 ACRE-FEET

**Source Name:** ALL SOURCES WITHIN PLACE OF USE

**Source Type:** SURFACE WATER

NONPERENNIAL SOURCES IN BASIN 42C ON THE RESERVATION

**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			10	2S	44E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Diversion Type:** PRIMARY

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE TONGUE RIVER EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

THE TRIBE MAY CONSTRUCT, OR PERMIT THE CONSTRUCTION OF, STOCKWATER IMPOUNDMENTS ON THE RESERVATION WHERE THE CAPACITY OF THE IMPOUNDMENT IS LESS THAN 15 ACRE-FEET AND THE IMPOUNDMENT IS CONSTRUCTED ON A SOURCE OTHER THAN A PERENNIAL STREAM.

TONGUE RIVER ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42C IN SECTION 25, TOWNSHIP 5 SOUTH RANGE 42 EAST, ROSEBUD COUNTY, MONTANA

**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>

ANY STOCK IMPOUNDMENTS OCCURRING ON THE NORTHERN CHEYENNE

RESERVATION

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42C 30064836 COMPACT

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** ANY PURPOSE

**Maximum Flow Rate:**  
THE MAXIMUM FLOW RATE OF ANY INDIVIDUAL WELL OR MANIFOLD WELL SYSTEM SHALL NOT EXCEED 100 GPM

**Maximum Volume:**

**Source Name:** UNNAMED TRIBUTARY OF TONGUE RIVER

**Source Type:** GROUNDWATER

ALLUVIAL GROUNDWATER FROM WELLS OR MANIFOLD WELL SYSTEMS OCCURRING ON THE NORTHERN CHEYENNE RESERVATION IN BASIN 42C.

**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			10	2S	44E	ROSEBUD

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Diversion Type:** PRIMARY

ANY PLACE AND MEANS OF DIVERSION AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE, PROVIDED THAT SUCH A PLACE AND MEANS OF DIVERSION IS A WELL OR MANIFOLD WELL SYSTEM LOCATED ON THE NORTHERN CHEYENNE RESERVATION.

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE TONGUE RIVER EXITS THE NORTHERN CHEYENNE RESERVATION. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

TONGUE RIVER ENTERS THE NORTHERN CHEYENNE RESERVATION WITHIN BASIN 42C IN SECTION 25, TOWNSHIP 5 SOUTH RANGE 42 EAST, ROSEBUD COUNTY, MONTANA

**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>
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ANY SMALL ALLUVIAL GROUNDWATER OCCURRING ON THE NORTHERN  
CHEYENNE RESERVATION

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42KJ 30064837 COMPACT

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** IRRIGATION

**Maximum Flow Rate:**

**Maximum Volume:**

**Source Name:** UNNAMED TRIBUTARY OF SARPY CREEK

**Source Type:** GROUNDWATER

SOURCE INCLUDES TRIBUTARIES OF SARPY CREEK WITHIN BASIN 42KJ  
(YELLOWSTONE RIVER BETWEEN BIG HORN RIVER AND TONGUE RIVER).

**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		S2S2	2	2S	38E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** SUBIRRIGATION

**Diversion Type:** PRIMARY

2		W2	14	2S	38E	BIG HORN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** SUBIRRIGATION

**Diversion Type:** PRIMARY

3		NW	23	2S	38E	BIG HORN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** SUBIRRIGATION

**Diversion Type:** PRIMARY

ANY NATURAL SUBIRRIGATION OCCURRING ON THE NORTHERN CHEYENNE RESERVATION.

POINT OF DIVERSION LEGAL LAND DESCRIPTIONS ARE A GENERAL DESCRIPTION OF WHERE TRIBUTARIES OF YELLOWSTONE RIVER BASIN BETWEEN BIG HORN AND TONGUE RIVER (BASIN 42KJ) EXITS THE NORTHERN CHEYENNE RESERVATION. THESE DESCRIPTIONS ARE ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

**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>
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ANY NATURAL SUBIRRIGATION OCCURRING ON THE NORTHERN CHEYENNE RESERVATION.

**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42KJ 30064838 COMPACT

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** OTHER PURPOSE  
EXISTING NON-AGRICULTURAL USES  
EXISTING TRIBAL AND INDIVIDUAL INDIAN STOCKWATER, DOMESTIC, AND MUNICIPAL WATER USES ON THE RESERVATION AS OF SEPTEMBER 30, 1992 (RATIFICATION DATE)

**Maximum Flow Rate:**

**Maximum Volume:**

**Source Name:** ALL SOURCES WITHIN PLACE OF USE

**Source Type:** ALL NATURALLY OCCURRING WATER

SOURCE INCLUDES TRIBUTARIES WITHIN THE SARPY CREEK BASIN.

**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		S2S2	2	2S	38E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

2		W2	14	2S	38E	BIG HORN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

3		NW	23	2S	38E	BIG HORN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** ANY MEANS

**Diversion Type:** PRIMARY

ANY POINT OF DIVERSION ON THE NORTHERN CHEYENNE RESERVATION.



<u><b>ID</b></u>	<u><b>Govt Lot</b></u>	<u><b>Qtr Sec</b></u>	<u><b>Sec</b></u>	<u><b>Twp</b></u>	<u><b>Rge</b></u>	<u><b>County</b></u>
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POINT OF DIVERSION LEGAL LAND DESCRIPTIONS ARE A GENERAL DESCRIPTION OF WHERE TRIBUTARIES OF YELLOWSTONE RIVER BASIN BETWEEN BIG HORN AND TONGUE RIVER (BASIN 42KJ) EXITS THE NORTHERN CHEYENNE RESERVATION. THESE DESCRIPTIONS ARE ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

**Period of Use:** JANUARY 1 to DECEMBER 31

**Place of Use:**

<u><b>ID</b></u>	<u><b>Acres</b></u>	<u><b>Govt Lot</b></u>	<u><b>Qtr Sec</b></u>	<u><b>Sec</b></u>	<u><b>Twp</b></u>	<u><b>Rge</b></u>	<u><b>County</b></u>
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ANY PLACE OF USE ON THE NORTHERN CHEYENNE RESERVATION.

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**Remarks:**

EXISTING NON-AGRICULTURAL USES ARE IN ADDITION TO ALL OTHER WATER RIGHTS OF THE TRIBE AND ARE GOVERNED BY THE TERMS OF THE COMPACT.

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42KJ 30064839 COMPACT

**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881

**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** STOCK

**Maximum Flow Rate:**

**Maximum Volume:**

THE CAPACITY OF ANY INDIVIDUAL IMPOUNDMENT SHALL NOT EXCEED 15 ACRE-FEET

**Source Name:** ALL SOURCES WITHIN PLACE OF USE

**Source Type:** SURFACE WATER

NONPERENNIAL SOURCES IN BASIN 42KJ ON THE RESERVATION

**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		S2S2	2	2S	38E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Diversion Type:** PRIMARY

2		W2	14	2S	38E	BIG HORN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Diversion Type:** PRIMARY

3		NW	23	2S	38E	BIG HORN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Diversion Type:** PRIMARY

POINT OF DIVERSION LEGAL LAND DESCRIPTIONS ARE A GENERAL DESCRIPTION OF WHERE TRIBUTARIES OF YELLOWSTONE RIVER BASIN BETWEEN BIG HORN AND TONGUE RIVER (BASIN 42KJ) EXITS THE NORTHERN CHEYENNE RESERVATION. THESE DESCRIPTIONS ARE ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

<u><b>ID</b></u>	<u><b>Govt Lot</b></u>	<u><b>Qtr Sec</b></u>	<u><b>Sec</b></u>	<u><b>Twp</b></u>	<u><b>Rge</b></u>	<u><b>County</b></u>
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THE TRIBE MAY CONSTRUCT, OR PERMIT THE CONSTRUCTION OF, STOCKWATER IMPOUNDMENTS ON THE RESERVATION WHERE THE CAPACITY OF THE IMPOUNDMENT IS LESS THAN 15 ACRE-FEET AND THE IMPOUNDMENT IS CONSTRUCTED ON A SOURCE OTHER THAN A PERENNIAL STREAM.

**Period of Use:** JANUARY 1 to DECEMBER 31

**Place of Use:**

<u><b>ID</b></u>	<u><b>Acres</b></u>	<u><b>Govt Lot</b></u>	<u><b>Qtr Sec</b></u>	<u><b>Sec</b></u>	<u><b>Twp</b></u>	<u><b>Rge</b></u>	<u><b>County</b></u>
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ANY STOCK IMPOUNDMENTS OCCURRING ON THE NORTHERN CHEYENNE RESERVATION

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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:** 42KJ 30064840 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** OCTOBER 1, 1881  
**Enforceable Priority Date:** OCTOBER 1, 1881

**Type of Historical Right:** RESERVED

**Purpose (use):** ANY PURPOSE

**Maximum Flow Rate:** THE MAXIMUM FLOW RATE OF ANY INDIVIDUAL WELL OR MANIFOLD WELL SYSTEM SHALL NOT EXCEED 100 GPM

**Maximum Volume:**

**Source Name:** UNNAMED TRIBUTARY OF SARPY CREEK  
**Source Type:** GROUNDWATER

ALLUVIAL GROUNDWATER FROM WELLS OR MANIFOLD WELL SYSTEMS OCCURRING ON THE NORTHERN CHEYENNE RESERVATION IN BASIN 42KJ.

**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		S2S2	2	2S	38E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Diversion Type:** PRIMARY

2		W2	14	2S	38E	BIG HORN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Diversion Type:** PRIMARY

3		NW	23	2S	38E	BIG HORN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

**Diversion Type:** PRIMARY

ANY PLACE AND MEANS OF DIVERSION AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE, PROVIDED THAT SUCH A PLACE AND MEANS OF DIVERSION IS A WELL OR MANIFOLD WELL SYSTEM LOCATED ON THE NORTHERN CHEYENNE RESERVATION.

<u><b>ID</b></u>	<u><b>Govt Lot</b></u>	<u><b>Qtr Sec</b></u>	<u><b>Sec</b></u>	<u><b>Twp</b></u>	<u><b>Rge</b></u>	<u><b>County</b></u>
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POINT OF DIVERSION LEGAL LAND DESCRIPTIONS ARE A GENERAL DESCRIPTION OF WHERE TRIBUTARIES OF YELLOWSTONE RIVER BASIN BETWEEN BIG HORN AND TONGUE RIVER (BASIN 42KJ) EXITS THE NORTHERN CHEYENNE RESERVATION. THESE DESCRIPTIONS ARE ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

**Period of Use:** JANUARY 1 to DECEMBER 31

**Place of Use:**

<u><b>ID</b></u>	<u><b>Acres</b></u>	<u><b>Govt Lot</b></u>	<u><b>Qtr Sec</b></u>	<u><b>Sec</b></u>	<u><b>Twp</b></u>	<u><b>Rge</b></u>	<u><b>County</b></u>
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ANY SMALL ALLUVIAL GROUNDWATER OCCURRING ON THE NORTHERN CHEYENNE RESERVATION

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**Remarks:**

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.

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 30064841 COMPACT  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:**

**Owners:** USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)  
IN TRUST FOR NORTHERN CHEYENNE TRIBE OF MONTANA  
2021 4TH AVE N  
BILLINGS, MT 59101

**Priority Date:** MAY 5, 1961

**Enforceable Priority Date:** MAY 5, 1961

**Type of Historical Right:** RESERVED

**Purpose (use):** ANY PURPOSE  
ANY PURPOSE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

**Maximum Flow Rate:**

**Maximum Volume:** 30,000.00 AC-FT  
VOLUME MEASURED AT THE DAM.

**Source Name:** BIGHORN RIVER (BIGHORN RESERVOIR)

**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		SWSE	18	6S	31E	BIG HORN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Diversion Type:** PRIMARY

POINT OF DIVERSION LEGAL LAND DESCRIPTION IS A GENERAL DESCRIPTION OF WHERE YELLOWTAIL DAM IS LOCATED ON THE BIG HORN RIVER. THIS DESCRIPTION IS ENTERED IN THE MONTANA STATE WATER RIGHTS DATABASE SO THIS COMPACTED RIGHT IS INCLUDED IN GIS AND TABULAR SEARCH RESULTS. IT IS NOT INTENDED AND DOES NOT IN ANY WAY ALTER THE COMPACT OR DECREE OR LIMIT THE TRIBE'S RIGHT TO AUTHORIZE THE POINT OR MEANS OF DIVERSION OF ANY PORTION OF ITS WATER RIGHTS PURSUANT TO ITS WATER CODE AND CONSISTENT WITH THE COMPACT.

ANY POINT OF DIVERSION AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

**Reservoir:** ON STREAM **Reservoir Name** BIGHORN RESERVOIR  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
SWSE 18 6S 31E BIG HORN

**Diversion to Reservoir:** DIVERSION # 1

**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>
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ANY PLACE OF USE AUTHORIZED BY THE TRIBE PURSUANT TO ITS WATER CODE.

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**Remarks:**

THIS ALLOCATION IS SUBJECT TO THE PRIOR RESERVED WATER RIGHTS, IF ANY, OF ANY INDIAN TRIBE, OR OF PERSONS CLAIMING WATER THROUGH THAT TRIBE, TO THAT WATER.

THIS RIGHT IS A RESERVED WATER RIGHT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, CODIFIED AT MONT. CODE ANN. §85-20-301 AND THE DECREE, AS AMENDED, ENTERED ON SEPTEMBER 26, 1995 IN CAUSE NO. WC-1993-1, IN THE MATTER OF THE ADJUDICATION OF EXISTING AND RESERVED RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, OF THE NORTHERN CHEYENNE INDIAN RESERVATION WITHIN THE STATE OF MONTANA IN BASINS 42A, 42C, 42KJ, & 43P, AND NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992).

IN THE EVENT OF ANY CONFLICT BETWEEN THIS ABSTRACT AND THE COMPACT, THE NORTHERN CHEYENNE INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1992, PUB. L. 102-374 (SEPT. 30, 1992), OR THE DECREE, THE COMPACT, ACT AND DECREE SHALL CONTROL.