

IN THE WATER COURT OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
PRYOR CREEK (BASIN 43E)
INTERLOCUTORY DECREE

CLAIMANT: Sunlight Ranch, Co.

OBJECTORS: Sunlight Ranch, Co.; USA (Dept. of
Interior Bureau of Indian Affairs)

CASE 43E-0120-I-2023

43E 30145156

43E 30145159

~~43E 30145163~~

43E 30145171

43E 30145172

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Montana Water Court on the above stamped date. Please review this report carefully.

You may file a written objection to this Master's Report within **10 days** of the stamped date if you disagree or find errors with the Master's findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master's Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master's Report.

MASTER'S REPORT

All water right claims that appeared in the Interlocutory Decree for Pryor Creek (Basin 43E) were subject to "issue remarks" resulting from pre-decree examination by

the DNRC, objections, and counterobjections. Each of the above-captioned claims received objections from the United States Department of Interior Bureau of Indian Affairs (“BIA”), self-objections, and issue remarks during the DNRC’s claims reexamination.

The claims were consolidated into Case 43E-0120-I-2023 to resolve the objections, self-objections, and issue remarks.

FINDINGS OF FACT

1. Sunlight Ranch Co. (“Sunlight”) is the record owner of claims 43E 30145156, 43E 30145159, 43E 30145171, and 43E 30145172.

2. Claims 43E 30145156, 43E 30145159, 43E 30145171, and 43E 30145172 were decreed with DNRC issue remarks:

43E 30145171:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 43E DECREE ISSUED 02/25/2010.

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

THIS CLAIM DOES NOT APPEAR TO REFLECT THE WATER RIGHT AS IT WAS BEFORE JULY 1, 1973.

43E 30145156, 43E 30145159, and 43E 30145172:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 43E DECREE ISSUED 02/25/2010.

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

3. BIA and Sunlight objected to claims 43E 30145156, 43E 30145159, 43E 30145171, and 43E 30145172. A deadline was set for the parties to file settlement documents addressing the Objections and issue remarks.

4. On May 19, 2023, Sunlight filed a *Motion to Amend Water Right Claim No. 30145163*, originally consolidated in Water Court case 43E-0120-I-2023, to re-basin the claim in Basin 43P. Claim 43E 30145163 was reconsolidated into Water Court case 43E-0130-I-2023 and assigned to Associate Water Judge Stephen Brown to address the *Motion*.

5. On May 30, 2023, the BIA and Sunlight filed a *Stipulation* regarding the resolution of the objections and issue remarks appearing on claims 43E 30145156, 43E 30145159, 43E 30145171, and 43E 30145172 along with a proposed abstract for claim

43E 30145156 and maps. The *Stipulation* requests the following changes be made to the claims in this Case, resolving the Objections and addressing the issue remarks decreed on the claims. In the interest of clarity, the entire place of use for claim 43E 30145156, as described in the proposed abstract attached to the *Stipulation*, is displayed below along with the requested information remarks to signify each of the changes proposed to the elements for claim 41K 30145156 and the remaining claims in the case. The requested modifications are as follows:

43E 30145156:

Type of Historical Right: Reserved.

This water right is a Walton Right.

This water right is not part of the Tribal Water Right as defined in the Crow Compact.

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr. Sec.</u>	<u>Sec.</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENESWNW	13	5S	27E	BIG HORN
2			SENESE	14	5S	27E	BIG HORN
3			SESWNE	23	5S	27E	BIG HORN
4			NWSENW	23	5S	27E	BIG HORN
5			NENESW	23	5S	27E	BIG HORN
6			E2	23	5S	23E	BIG HORN
7			E2SW	23	5S	27E	BIG HORN
8			SWSW	23	5S	27E	BIG HORN
9			SENW	23	5S	27E	BIG HORN

10		SWSWSW	24	5S	27E	BIG HORN
11		W2	25	5S	27E	BIG HORN
12		E2	26	5S	27E	BIG HORN
13		SWNW	26	5S	27E	BIG HORN
14		SENW	26	5S	27E	BIG HORN
15		SW	26	5S	27E	BIG HORN
16		NWNENE	27	5S	27E	BIG HORN
17		NENWNE	27	5S	27E	BIG HORN
18		SESENE	27	5S	27E	BIG HORN
19		NWNENW	27	5S	27E	BIG HORN
20		NESENE	34	5S	27E	BIG HORN
21		W2E2	35	5S	27E	BIG HORN
22		NW	35	5S	27E	BIG HORN
23		NW	36	5S	27E	BIG HORN
24		NESW	36	5S	27E	BIG HORN
25		S2SW	36	5S	27E	BIG HORN
26		SE	36	5S	27E	BIG HORN
27	4	SWSWSW	31	5S	28E	BIG HORN
28		E2SWNE	1	6S	27E	BIG HORN
29		W2SE	1	6S	27E	BIG HORN
30		NE	12	6S	27E	BIG HORN
31		S2SE	12	6S	27E	BIG HORN
32		W2SESW	12	6S	27E	BIG HORN
33		SWNW	12	6S	27E	BIG HORN
34		W2SW	12	6S	27E	BIG HORN
35		SW	25	6S	27E	BIG HORN
36		E2	6	6S	28E	BIG HORN
37		E2W2	6	6S	28E	BIG HORN
38			7	6S	28E	BIG HORN
39		NWNW	8	6S	28E	BIG HORN
40		W2	17	6S	28E	BIG HORN
41		N2N2NE	18	6S	28E	BIG HORN
42		N2N2NW	18	6S	28E	BIG HORN
43		S2	18	6S	28E	BIG HORN
44		N2	19	6S	28E	BIG HORN
45		E2SE	19	6S	28E	BIG HORN

Remarks:

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

THE CLAIMANT HOLDS IN FEE AN UNDIVIDED FRACTIONAL INTEREST IN S2SE, SEC. 12, T6S, R 27E (E.G., POU # 31) THAT IS THE FOLLOWING FRACTION: 4/9. OF THE REMAINING UNDIVIDED INTEREST IN THE LAND, 5/9 IS HELD BY THE UNITED STATES IN TRUST FOR THE CROW TRIBE OR ONE OR MORE ALLOTTEES OR BOTH THE TRIBE AND ALLOTTEES. THIS WATER RIGHT PROVIDES

THE CLAIMANT WITH A PROPORTIONAL RIGHT TO AN AMOUNT OF WATER THAT IS PROPORTIONAL TO THE INTEREST THE CLAIMANT HOLDS IN THE POU.

ANY ATTEMPT BY THE OWNER OF ANY UNDIVIDED FRACTIONAL INTEREST TO EXERCISE SEPARATE CONTROL OF THE ABOVE RIGHT IS SUBJECT TO FEDERAL LAW AND REGULATIONS.

43E 30145159, 43E 30145171, and 43E 30145172:

Type of Historical Right: Reserved.

This water right is a Walton Right.

This water right is not part of the Tribal Water Right as defined in the Crow Compact.

PRINCIPLES OF LAW

1. Section 85-2-248(2), MCA, requires that the Water Court resolve all issue remarks that are not resolved through the objection process. *See also* Rule 7, W.R.Adj.R.
2. The Water Court may use information submitted by the DNRC, the Statement of Claim, and any other data obtained by the Court to evaluate a water right. Sections 85-2-227, -231(2), MCA.
3. When resolving issue remarks, the Water Court must weigh the information resulting in the issue remark and the issue remark against the claimed water right. Section 85-2-247(2), MCA. The factual evidence on which an issue remark is based must meet the preponderance of evidence standard before the prima facie status of a claim is overcome. 43Q 200996-00 et al., Order Establishing Volume and Order Closing Case, at 18, June 8, 2015.

4. The Water Court is not bound by parties' settlement agreements. Any settlement reached by the parties is subject to review and approval by the Water Court. Rule 17(a), W.R.Adj.R.

CONCLUSIONS OF LAW

1. Based on the information received in the *Stipulation*, claims 43E 30145156, 43E 30145159, 43E 30145171, and 43E 30145172 should be modified as described in Finding of Fact No. 5. The modifications resolve the objections, self-objections, and substantive issue remarks appearing on the claims.

2. The notice-type issue remarks appearing on each claim served their notice purpose and should be removed from the claims.

RECOMMENDATIONS

Based on the foregoing Findings of Fact and Conclusions of Law, this Master recommends that the Court adopt the changes as outlined above.

Post decree abstracts of each water right claim reflecting the recommended changes are attached to this Report.

ELECTRONICALLY SIGNED AND DATED BELOW.

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POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
PRYOR CREEK
BASIN 43E

Water Right Number: 43E 30145156 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: SUNLIGHT RANCH CO
710 ROAD 8VE
POWELL, WY 82435

Priority Date: MAY 7, 1868

Type of Historical Right: RESERVED

THIS WATER RIGHT IS A WALTON RIGHT.

THIS WATER RIGHT IS NOT PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE COMPACT.

Purpose (use): STOCK

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.

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: EAST PRYOR CREEK

Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF EAST PRYOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESWNW	13	5S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		SENESE	14	5S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		SESWNE	23	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		NWSENW	23	5S	27E	BIG HORN

Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
5	NENSW	23	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
6	E2	23	5S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
7	E2SW	23	5S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8	SWSW	23	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9	SENW	23	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10	SWSWSW	24	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11	W2	25	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12	E2	26	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13	SWNW	26	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14	SENW	26	5S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK				

Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15	SW	26	5S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
16	NWNENE	27	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
17	NENWNE	27	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
18	SESENE	27	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
19	NWNENW	27	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
20	NESENE	34	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
21	W2E2	35	5S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
22	NW	35	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
23	NW	36	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
24	NESW	36	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				

Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
25	S2SW	36	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
26	SE	36	5S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
27	4 SWSWSW	31	5S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
28	E2SWNE	1	6S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
29	W2SE	1	6S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
30	NE	12	6S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
31	S2SE	12	6S	27E	BIG HORN
Source Name:	EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
32	W2SESW	12	6S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
33	SWNW	12	6S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
34	W2SW	12	6S	27E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
35	SW	25	6S	27E	BIG HORN

Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
36	E2	6	6S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
37	E2W2	6	6S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
38		7	6S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
39	NWNW	8	6S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
40	W2	17	6S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
41	N2N2NE	18	6S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
42	N2NW	18	6S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
43	S2	18	6S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
44	N2	19	6S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
45	E2SE	19	6S	28E	BIG HORN
Source Name:	UNNAMED TRIBUTARY OF EAST PRYOR CREEK				

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 Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENESWNW	13	5S	27E	BIG HORN
2			SENESE	14	5S	27E	BIG HORN
3			SESWNE	23	5S	27E	BIG HORN
4			NWSENW	23	5S	27E	BIG HORN
5			NENESW	23	5S	27E	BIG HORN
6			E2	23	5S	27E	BIG HORN
7			E2SW	23	5S	27E	BIG HORN
8			SWSW	23	5S	27E	BIG HORN
9			SENW	23	5S	27E	BIG HORN
10			SWSWSW	24	5S	27E	BIG HORN
11			W2	25	5S	27E	BIG HORN
12			E2	26	5S	27E	BIG HORN
13			SWNW	26	5S	27E	BIG HORN
14			SENW	26	5S	27E	BIG HORN
15			SW	26	5S	27E	BIG HORN
16			NWNENE	27	5S	27E	BIG HORN
17			NENWNE	27	5S	27E	BIG HORN
18			SESENE	27	5S	27E	BIG HORN
19			NWNENW	27	5S	27E	BIG HORN
20			NESENE	34	5S	27E	BIG HORN
21			W2E2	35	5S	27E	BIG HORN
22			NW	35	5S	27E	BIG HORN
23			NW	36	5S	27E	BIG HORN
24			NESW	36	5S	27E	BIG HORN
25			S2SW	36	5S	27E	BIG HORN
26			SE	36	5S	27E	BIG HORN
27		4	SWSWSW	31	5S	28E	BIG HORN
28			E2SWNE	1	6S	27E	BIG HORN
29			W2SE	1	6S	27E	BIG HORN
30			NE	12	6S	27E	BIG HORN
31			S2SE	12	6S	27E	BIG HORN
32			W2SESW	12	6S	27E	BIG HORN
33			SWNW	12	6S	27E	BIG HORN
34			W2SW	12	6S	27E	BIG HORN
35			SW	25	6S	27E	BIG HORN
36			E2	6	6S	28E	BIG HORN
37			E2W2	6	6S	28E	BIG HORN
38				7	6S	28E	BIG HORN
39			NWNW	8	6S	28E	BIG HORN
40			W2	17	6S	28E	BIG HORN
41			N2N2NE	18	6S	28E	BIG HORN
42			N2NW	18	6S	28E	BIG HORN

43	S2	18	6S	28E	BIG HORN
44	N2	19	6S	28E	BIG HORN
45	E2SE	19	6S	28E	BIG HORN

Remarks:

ANY ATTEMPT BY THE OWNER OF ANY UNDIVIDED FRACTIONAL INTEREST TO EXERCISE SEPARATE CONTROL OF THE ABOVE RIGHT IS SUBJECT TO FEDERAL LAW AND REGULATIONS.

THE CLAIMANT HOLDS IN FEE AN UNDIVIDED FRACTIONAL INTEREST IN S2SE, SEC. 12, T6S, R 27E (E.G., POU # 31) THAT IS THE FOLLOWING FRACTION: 4/9. OF THE REM/LINING UNDIVIDED INTEREST IN THE LAND, 5/915 HELD BY THE UNITED STATES IN TRUST FOR THE CROW TRIBE OR ONE OR MORE ALLOTTEES OR BOTH THE TRIBE AND ALLOTTEES. THIS WATER RIGHT PROVIDES THE CLAIMANT WITH A PROPORTIONAL RIGHT TO AN AMOUNT OF WATER THAT IS PROPORTIONAL TO THE INTEREST THE CLAIMANT HOLDS IN THE POU.

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

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
PRYOR CREEK
BASIN 43E

Water Right Number: 43E 30145159 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: SUNLIGHT RANCH CO
710 ROAD 8VE
POWELL, WY 82435

Priority Date: MAY 7, 1868

Type of Historical Right: RESERVED

THIS WATER RIGHT IS A WALTON RIGHT.

THIS WATER RIGHT IS NOT PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE COMPACT.

Purpose (use): STOCK

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.

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: DEEP CREEK

Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF DEEP CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2SE	18	5S	27E	BIG HORN
Source Name: DEEP CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2		W2SE	18	5S	27E	BIG HORN
Source Name: UNNAMED TRIBUTARY OF DEEP CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
3		E2E2NWSE	18	5S	27E	BIG HORN
Source Name: DEEP CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4		SESESE	18	5S	27E	BIG HORN

Source Name: UNNAMED TRIBUTARY OF DEEP CREEK
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 Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2SE	18	5S	27E	BIG HORN
2			W2SE	18	5S	27E	BIG HORN
3			E2E2NWSE	18	5S	27E	BIG HORN
4			SESESE	18	5S	27E	BIG HORN

Remarks:

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

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
PRYOR CREEK
BASIN 43E

Water Right Number: 43E 30145171 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: SUNLIGHT RANCH CO
710 ROAD 8VE
POWELL, WY 82435

Priority Date: MAY 7, 1868

Type of Historical Right: RESERVED

THIS WATER RIGHT IS A WALTON RIGHT.

THIS WATER RIGHT IS NOT PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE COMPACT.

Purpose (use): STOCK

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.

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: UNNAMED TRIBUTARY OF HAY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	20	5S	27E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		NENWSE	21	5S	27E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		NENWNW	22	5S	27E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		NENENWNW	22	5S	27E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		NWSWNW	22	5S	27E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6		SWSWSW	27	5S	27E	BIG HORN

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
PRYOR CREEK
BASIN 43E

Water Right Number: 43E 30145172 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: SUNLIGHT RANCH CO
710 ROAD 8VE
POWELL, WY 82435

Priority Date: MAY 7, 1868

Type of Historical Right: RESERVED

THIS WATER RIGHT IS A WALTON RIGHT.

THIS WATER RIGHT IS NOT PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE COMPACT.

Purpose (use): STOCK

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.

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: SHIVELY CREEK

Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF SHIVELY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2SESE	34	5S	27E	BIG HORN
Source Name: UNNAMED TRIBUTARY OF SHIVELY CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2		NWSWSW	35	5S	27E	BIG HORN
Source Name: UNNAMED TRIBUTARY OF SHIVELY CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
3		SWNW	1	6S	27E	BIG HORN
Source Name: SHIVELY CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4		SWSWNW	1	6S	27E	BIG HORN

10	W2W2NWSE	11	6S	27E	BIG HORN
11	E2SW	11	6S	27E	BIG HORN

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/20/2019: POINT OF DIVERSION, PLACE OF USE.

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