

Montana Water Court
P.O. Box 1389
Bozeman, MT 59771-1389
(406) 586-4364
1-800-624-3270
watercourt@mt.gov

MONTANA WATER COURT
YELLOWSTONE DIVISION
LITTLE BIGHORN RIVER
BASIN 43O
INTERLOCUTORY DECREE

* * * * *

CLAIMANTS: Colette R. Hanft; John J. Hanft; Larry E.
Hanft; Vicki D. Hanft

OBJECTORS: Sunlight Ranch Co.; United States, DOI
Bureau of Indian Affairs

CASE 43O-0011-I-2024

43O 30145545

43O 30145546

43O 30145547

43O 30145548

43O 30145549

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, conclusion 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 to be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must mail 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

Sunlight Ranch Co. and the United States, DOI Bureau of Indian Affairs each objected to claims 43O 30145545, 43O 30145546, 43O 30145547, 43O 30145548, and 43O 30145549. Some of these claims appeared in the Interlocutory Decree with issue remarks which must be addressed and resolved. On April 28, 2025 the parties filed a Stipulation addressing the objections and the issue remarks. The Stipulation is viewable in the Court's FullCourt Enterprise case management system, document number 6.

APPLICABLE LAW

"All issue remarks to claims that are not resolved through the filing of an objection as provided in 85-2-233 must be resolved as provided in this section." Section 85-2-248(2), MCA.

A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content pursuant to section 85-2-227, MCA. This prima facie proof may be contradicted and overcome by other evidence that proves, by a preponderance of the evidence, that the elements of the claim do not accurately reflect the beneficial use of the water right as it existed prior to July 1, 1973. This is the burden of proof for every assertion that a claim is incorrect including for claimants objecting to their own claims. Rule 19, W.R.Adj.R.

FINDINGS OF FACT

1. Claim 43O 30145545 appeared in the Interlocutory Decree with the following remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 43O DECREE ISSUED 03/25/2010.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 08/30/2022 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JOHN JAMES HANFT, PO BOX 311, WYOLA, MT 59089-0311.

A PORTION OF THE CLAIMED POINT OF DIVERSION AND PLACE OF USE DOES NOT MEET THE DEFINITION OF AN EXEMPT RIGHT UNDER 85-2-222, MCA, AND INVOLVES AN ON-STREAM RESERVOIR.

The first remark provides notice that the claim was not included in the Preliminary Decree. As John J. Hanft now appears as an owner of this claim, the second remark is moot. Both remarks should be removed.

To resolve the issue remark concerning whether this claim meets the definition of an

exempt right, the Stipulation requests the addition of a remark affirming the use is instream only. The following remark should be added to the abstract: THIS RIGHT IS LIMITED TO INSTREAM USE NOT CAUSED BY AN IMPOUNDMENT. SEE STIPULATION FILED APRIL 28, 2025 IN CASE 43O-0011-I-2024. The issue remark should be removed as addressed and resolved.

The Interlocutory Decree states that the type of historical right is USE. The type of historical right should be RESERVED and the following two remarks should be added to the priority date:

THIS WATER RIGHT IS A WALTON RIGHT.

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

The Interlocutory Decree includes a point of diversion and place of use described as the NWSW section 33, T9S, R33E, BIG HORN. The legal description should be the NWSW section 33, T9S, R35E, BIG HORN.

2. Claim 43O 30145546 appeared in the Interlocutory Decree with the following remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 43O DECREE ISSUED 03/25/2010.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 08/30/2022 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JOHN JAMES HANFT, PO BOX 311, WYOLA, MT 59089-0311.

A PORTION OF THE CLAIMED POINT OF DIVERSION AND PLACE OF USE DOES NOT MEET THE DEFINITION OF AN EXEMPT RIGHT UNDER 85-2-222, MCA, AND INVOLVES AN ON-STREAM RESERVOIR.

The first remark provides notice that the claim was not included in the Preliminary Decree. As John J. Hanft now appears as an owner of this claim, the second remark is moot. Both remarks should be removed.

To resolve the issue remark concerning whether this claim meets the definition of an exempt right, the Stipulation requests the addition of a remark affirming the use is instream only. The following remark should be added to the abstract: THIS RIGHT IS LIMITED TO INSTREAM USE NOT CAUSED BY AN IMPOUNDMENT. SEE STIPULATION FILED APRIL 28, 2025 IN CASE 43O-0011-I-2024. The issue remark should be removed as addressed and resolved.

The Interlocutory Decree states that the type of historical right is USE. The type of

historical right should be RESERVED and the following two remarks should be added to the priority date:

THIS WATER RIGHT IS A WALTON RIGHT.

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

The Interlocutory Decree includes a point of diversion and place of use described as the NWNW section 33, T9S, R33E, BIG HORN. The legal description should be the NWNW section 33, T9S, R35E, BIG HORN.

3. Claim 430 30145547 appeared in the Interlocutory Decree with the following remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 430 DECREE ISSUED 03/25/2010.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 08/30/2022 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JOHN JAMES HANFT, PO BOX 311, WYOLA, MT 59089-0311.

A PORTION OF THE CLAIMED POINT OF DIVERSION AND PLACE OF USE DOES NOT MEET THE DEFINITION OF AN EXEMPT RIGHT UNDER 85-2-222, MCA, AND INVOLVES AN ON-STREAM RESERVOIR.

The first remark provides notice that the claim was not included in the Preliminary Decree. As John J. Hanft now appears as an owner of this claim, the second remark is moot. Both remarks should be removed.

To resolve the issue remark concerning whether this claim meets the definition of an exempt right, the Stipulation requests the addition of a remark affirming the use is instream only. The following remark should be added to the abstract: THIS RIGHT IS LIMITED TO INSTREAM USE NOT CAUSED BY AN IMPOUNDMENT. SEE STIPULATION FILED APRIL 28, 2025 IN CASE 430-0011-I-2024. The issue remark should be removed as addressed and resolved.

The Interlocutory Decree states that the type of historical right is USE. The type of historical right should be RESERVED and the following two remarks should be added to the priority date:

THIS WATER RIGHT IS A WALTON RIGHT.

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

The Interlocutory Decree includes a point of diversion and place of use described as the SE section 22, T9S, R33E, BIG HORN. The legal description should be the SE section 22, T9S, R35E, BIG HORN.

4. Claim 43O 30145548 appeared in the Interlocutory Decree with the following remark:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 43O DECREE ISSUED 03/25/2010.

This remark provides notice that the claim was not included in the Preliminary Decree. It should be removed.

The Interlocutory Decree states that the priority date is MARCH 27, 1868 and the type of historical right is USE. The priority date should be MAY 7, 1868. The type of historical right should be RESERVED and the following two remarks should be added to the priority date:

THIS WATER RIGHT IS A WALTON RIGHT.

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

5. Claim 43O 30145549 appeared in the Interlocutory Decree with the following remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 43O DECREE ISSUED 03/25/2010.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 08/31/2022 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY JOHN JAMES HANFT, PO BOX 311, WYOLA, MT 59089-0311.

THE CLAIMED VOLUME EXCEEDS THE 9.0 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

The first remark provides notice that the claim was not included in the Preliminary Decree. As John J. Hanft now appears as an owner of this claim, the second remark is moot. Both remarks should be removed.

The Interlocutory Decree states that the volume is 10.50 AC-FT. The volume should be 9.00 AC-FT. The issue remark should be removed as addressed and resolved.

The Interlocutory Decree states that the range for the point of diversion legal description and the place of use legal description is 33E. The range for both should be 35E.

CONCLUSION OF LAW

The settlement filed by the parties is sufficient to contradict and overcome the prima facie claims and to resolve the issue remarks without evidentiary hearing. Sections 85-2-248(3) and (11), MCA.

RECOMMENDATIONS

Based upon the above Findings of Fact and Conclusion of Law, this Master recommends that the Court make the changes specified in the Findings of Fact to correct the Preliminary Decree for this Basin. A Post Decree Abstract of Water Right Claim for each claim is served with this Report to confirm the recommended changes have been made in the state's centralized record system.

ELECTRONICALLY SIGNED AND DATED BELOW

Service via USPS Mail:

Colette R. Hanft
John J. Hanft
P.O. Box 311
Wyola, MT 59089

Larry E. Hanft
Vicki D. Hanft
HC 64 Box 190
190 Beckton Rd
Dayton, WY 82836

Service Via Electronic Mail:

Laurence R. Martin
Martin Smith
Felt Martin Frazier & Weldon PC
lmartin@feltmartinlaw.com
msmith@feltmartinlaw.com
jbarz@feltmartinlaw.com
lcornish@feltmartinlaw.com

David W. Harder
Senior Attorney
U.S. Department of Justice
Indian Resources Section
Environment & Natural Resources Div.
David.harder@usdoj.gov
Efile_Denver.enrd@usdoj.gov

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
LITTLE BIGHORN RIVER
BASIN 43O**

Water Right Number: 43O 30145545 RESERVED CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: COLETTE R HANFT
PO BOX 311
WYOLA, MT 59089

JOHN J HANFT
PO BOX 311
WYOLA, MT 59089

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 CROW 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
STOCKWATERING 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 PASS CREEK

Source Type: SURFACE WATER

THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF EAST PASS CREEK.

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2	33	9S	35E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		NWSW	33	9S	35E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3	1	S2SW	33	9S	35E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		N2	34	9S	35E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

5	SE	28	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
6	SESW	28	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
7	NW	27	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
8	SWNE	27	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
9	SW	22	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
10	S2NW	22	9S	35E	BIG HORN
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			N2	33	9S	35E	BIG HORN
2			NWSW	33	9S	35E	BIG HORN
3		1	S2SW	33	9S	35E	BIG HORN
4			N2	34	9S	35E	BIG HORN
5			SE	28	9S	35E	BIG HORN
6			SESW	28	9S	35E	BIG HORN
7			NW	27	9S	35E	BIG HORN
8			SWNE	27	9S	35E	BIG HORN
9			SW	22	9S	35E	BIG HORN
10			S2NW	22	9S	35E	BIG HORN

Remarks:

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

THIS RIGHT IS LIMITED TO INSTREAM USE NOT CAUSED BY AN IMPOUNDMENT. SEE STIPULATION FILED APRIL 28, 2025 IN CASE 43O-0011-I-2024.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
LITTLE BIGHORN RIVER
BASIN 43O**

Water Right Number: 43O 30145546 RESERVED CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: COLETTE R HANFT
PO BOX 311
WYOLA, MT 59089

JOHN J HANFT
PO BOX 311
WYOLA, MT 59089

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 CROW 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 STOCKWATERING 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: WEST PASS CREEK

Source Type: SURFACE WATER

THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF WEST PASS CREEK.

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	32	9S	35E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		NWNW	33	9S	35E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		E2E2	29	9S	35E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		W2SW	28	9S	35E	BIG HORN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

5	NW	28	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
6	E2SE	20	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
7	W2SW	21	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
8	SESW	21	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
9	SWSE	21	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
10	NESWNE	21	9S	35E	BIG HORN
Period of Diversion: JANUARY 1 TO DECEMBER 31					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
11	SWNW	22	9S	35E	BIG HORN
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:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
1			NE	32	9S	35E	BIG HORN
2			NWNW	33	9S	35E	BIG HORN
3			E2E2	29	9S	35E	BIG HORN
4			W2SW	28	9S	35E	BIG HORN
5			NW	28	9S	35E	BIG HORN
6			E2SE	20	9S	35E	BIG HORN
7			W2SW	21	9S	35E	BIG HORN
8			SESW	21	9S	35E	BIG HORN
9			SWSE	21	9S	35E	BIG HORN
10			NESWNE	21	9S	35E	BIG HORN
11			SWNW	22	9S	35E	BIG HORN

Remarks:

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

THIS RIGHT IS LIMITED TO INSTREAM USE NOT CAUSED BY AN IMPOUNDMENT. SEE STIPULATION FILED APRIL 28, 2025 IN CASE 43O-0011-I-2024.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
LITTLE BIGHORN RIVER
BASIN 43O**

Water Right Number: 43O 30145547 RESERVED CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: COLETTE R HANFT
PO BOX 311
WYOLA, MT 59089

JOHN J HANFT
PO BOX 311
WYOLA, MT 59089

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 CROW 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 STOCKWATERING 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:** PASS CREEK

Source Type: SURFACE WATER

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

Source Type: SURFACE WATER

THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF PASS CREEK.

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2NE	27	9S	35E	BIG HORN

Source Name: UNNAMED TRIBUTARY OF PASS CREEK

Period of Diversion: JANUARY 1 TO JANUARY 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SE	22	9S	35E	BIG HORN
---	--	----	----	----	-----	----------

Source Name: UNNAMED TRIBUTARY OF PASS CREEK

Period of Diversion: JANUARY 1 TO JANUARY 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		S2NE	22	9S	35E	BIG HORN
---	--	------	----	----	-----	----------

Source Name:

UNNAMED TRIBUTARY OF PASS CREEK

Period of Diversion:

JANUARY 1 TO JANUARY 31

Diversion Means:

LIVESTOCK DIRECT FROM SOURCE

4

N2NW

22

9S

35E

BIG HORN

Source Name:

UNNAMED TRIBUTARY OF PASS CREEK

Period of Diversion:

JANUARY 1 TO JANUARY 31

Diversion Means:

LIVESTOCK DIRECT FROM SOURCE

5

E2NWNW

22

9S

35E

BIG HORN

*Source Name:

PASS CREEK

Period of Diversion:

JANUARY 1 TO JANUARY 31

Diversion Means:

LIVESTOCK DIRECT FROM SOURCE

6

SESE

16

9S

35E

BIG HORN

Source Name:

UNNAMED TRIBUTARY OF PASS CREEK

Period of Diversion:

JANUARY 1 TO JANUARY 31

Diversion Means:

LIVESTOCK DIRECT FROM SOURCE

7

W2SW

15

9S

35E

BIG HORN

Source Name:

UNNAMED TRIBUTARY OF PASS CREEK

Period of Diversion:

JANUARY 1 TO JANUARY 31

Diversion Means:

LIVESTOCK DIRECT FROM SOURCE

Period of Use:

JANUARY 1 TO JANUARY 31

*Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2NE	27	9S	35E	BIG HORN
2			SE	22	9S	35E	BIG HORN
3			S2NE	22	9S	35E	BIG HORN
4			N2NW	22	9S	35E	BIG HORN
5			E2NWNW	22	9S	35E	BIG HORN
6			SESE	16	9S	35E	BIG HORN
7			W2SW	15	9S	35E	BIG HORN

Remarks:

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

THIS RIGHT IS LIMITED TO INSTREAM USE NOT CAUSED BY AN IMPOUNDMENT. SEE STIPULATION FILED APRIL 28, 2025 IN CASE 43O-0011-I-2024.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
LITTLE BIGHORN RIVER
BASIN 43O**

Water Right Number: 43O 30145548 RESERVED CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: COLETTE R HANFT
PO BOX 311
WYOLA, MT 59089

JOHN J HANFT
PO BOX 311
WYOLA, MT 59089

LARRY E HANFT
HC 64 BOX 190
190 BECKTON RD
DAYTON, WY 82836

VICKI D HANFT
HC 64 BOX 190
190 BECKTON RD
DAYTON, WY 82836

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 CROW 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 STOCKWATERING 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 PASS CREEK

Source Type: SURFACE WATER

THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF EAST PASS CREEK.

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		S2N2S2	34	9S	35E	BIG HORN

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			S2N2S2	34	9S	35E	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
LITTLE BIGHORN RIVER
BASIN 43O**

Water Right Number: 43O 30145549 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: COLETTE R HANFT
PO BOX 311
WYOLA, MT 59089

JOHN J HANFT
PO BOX 311
WYOLA, MT 59089

Priority Date: OCTOBER 27, 1953

Type of Historical Right: USE

Purpose (Use): DOMESTIC

Flow Rate: 30.00 GPM

Volume: 9.00 AC-FT

Households: 1

Maximum Acres: 3.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF EAST PASS CREEK

Source Type: GROUNDWATER

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		NESENW	22	9S	35E	BIG HORN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: SPRING BOX

MEANS OF DIVERSION INCLUDES A PIPELINE.

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	3.00		SENW	22	9S	35E	BIG HORN
Total:	3.00						

Remarks:

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