

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 186331-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
HARRY DEINES  
814 KALE DR  
BILLINGS, MT 59105  
  
LYNDON S COBURN JR  
1524 S 56TH ST W  
BILLINGS, MT 59106

**Priority Date:** MAY 21, 1909  
**Enforceable Priority Date:** MAY 21, 1909

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 4.87 CFS

**Maximum Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 1 - HIGH

**Maximum Acres:** 130.00

**Source Name:** BIGHORN RIVER  
**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		NESWSE	20	2S	33E	BIG HORN

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

**Diversion Means:** HEADGATE

**Ditch Name:** TWO LEGGINS CANAL

**Period of Use:** APRIL 15 to OCTOBER 15

**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	130.00		NE	4	1N	33E	BIG HORN

**Total:** 130.00

**Geocodes/Valid:** 22-1040-04-1-01-01-0000 - Y

**Remarks:**

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 05/21/1996.  
STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.  
THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CROW INDIAN RESERVATION.  
NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/21/96.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 106220 RECEIVED 09/13/2012.

THIS CLAIM APPEARS TO BE FOR WATER PROVIDED BY THE TWO LEGGINS WATER USERS ASSOCIATION UNDER CLAIM NO. 185058-00 . THIS CLAIM APPEARS TO BE REDUNDANT.  
THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THERE ARE 263 WATER RIGHT CLAIMS FOR THE WATER FROM THE TWO LEGGINS CANAL THAT CLAIM A TOTAL COMBINED FLOW RATE OF 1362.404 CUBIC FEET PER SECOND. THE TOTAL COMBINED CLAIMED FLOW RATES EXCEED THE 600 CUBIC FEET PER SECOND OF THE SHEPARD, BAIR, EDWARDS, 5/21/1909 FILED APPROPRIATION FOR THE TWO LEGGINS CANAL. A LIST OF THE WATER RIGHTS CLAIMS INVOLVED HAS BEEN ADDED TO THE CLAIM FILE.

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**Remarks:**

IT IS NOT CLEAR WHETHER THIS CLAIM IS A STATE-BASED WATER RIGHT OR PART OF THE TRIBAL WATER RIGHT AS DEFINED IN THE CROW TRIBE - MONTANA COMPACT. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.