

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:** 40A 30064426 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:** C BAR J RANCH LLC  
PO BOX 224  
TWO DOT, MT 59085-0224

**Priority Date:** APRIL 2, 1920  
**Enforceable Priority Date:** APRIL 20, 1920

**Type of Historical Right:** FILED

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

**Maximum Flow Rate:** 12.10 CFS

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

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 283.00

**Source Name:** AMERICAN FORK  
**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		NWSWNE	28	6N	13E	WHEATLAND

**Period of Diversion:** MARCH 1 TO NOVEMBER 4

**Diversion Means:** HEADGATE

**Ditch Name:** NORTON AND LYONS DITCH

THE DIVERSION THROUGH NORTON & LYONS DITCH DOES AFFECT THE FLOW IN THE MAIN STREAM OF THE AMERICAN FORK CREEK AFTER AUGUST 1 OF EACH YEAR.

THIS RIGHT TO DIVERT WATER THROUGH THE NORTON & LYONS DITCH IS SUBJECT TO THE AMERICAN FORK CREEK DECREE, CAUSE #374, SWEET GRASS CO.

WATER IS DIVERTED FROM AMERICAN FORK CREEK AND DITCHED NORTHEAST ABOUT 1.5 MILES TO LEBO CREEK. LEBO CREEK IS USED AS A NATURAL CARRIER FOR ABOUT 1/4 MILE TO AN UNNAMED TRIBUTARY OF BIG ELK CREEK AND FROM THERE TO LEBO LAKE. FROM LEBO LAKE, VARIOUS DITCHES AND NATURAL WATER COURSES, INCLUDING LEBO CREEK, DELIVER THE WATER TO THE PLACES OF USE.

**Reservoir:** OFF STREAM **Reservoir Name** LEBO LAKE  
**Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**  
NW 6 6N 14E WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

THE SURFACE AREA OF LEBO RESERVOIR IS LOCATED: NE SEC 1 TWP 6N RGE 13E NW SEC 6 TWP 6N RGE 14E SE SEC 36 TWP 7N RGE 13E SW SEC 31 TWP 7N RGE 14E

LEBO RESERVOIR CONSISTS OF TWO DAMS LOCATED IN GOVERNMENT LOT 4 NW SEC 06 TWP 06N RGE 14E AND NWNWSW SEC 31 TWP 07N RGE 14E WHEATLAND COUNTY.

**Period of Use:** MARCH 1 to NOVEMBER 4

**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	16.00		E2E2E2	24	7N	13E	WHEATLAND
2	40.00		E2E2	25	7N	13E	WHEATLAND
3	3.00		W2W2SE	19	7N	14E	WHEATLAND
4	144.00		W2	19	7N	14E	WHEATLAND
5	80.00		NW	30	7N	14E	WHEATLAND

**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>
<b>Total:</b>	283.00						
<b>Geocodes/Valid:</b>		44-1603-24-1-01-01-0000 - Y				44-1603-25-4-01-01-0000 - Y	
		44-1604-19-1-01-01-0000 - Y				44-1604-30-2-01-01-0000 - Y	

**Remarks:**

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40A TEMPORARY PRELIMINARY DECREE ISSUED 05/07/1985.

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 40A 198484-00.

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. 40A 30064417, 40A 30064418, 40A 30064419, 40A 30064420, 40A 30064421, 40A 30064422, 40A 30064423, 40A 30064426.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 108635 RECEIVED 03/22/2013.

WHEN THIS CLAIM WAS ORIGINALLY DECREED, THE PERIOD OF DIVERSION WAS NOT INCLUDED AS AN ELEMENT OF THE CLAIM. IN 2008, THE PERIOD OF DIVERSION ELEMENT WAS ADDED TO ALL CLAIM ABSTRACTS. IT IS NOT CERTAIN IF THE PERIOD OF DIVERSION DATES ADDED TO THIS CLAIM ACCURATELY REFLECT THE HISTORICAL PERIOD OF DIVERSION. MORE INFORMATION IS REQUIRED.