

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 198485-00 STATEMENT OF CLAIM  
**Version:** 2 -- SPLIT POST DECREE

**Version Status:** ACTIVE

**Owners:** STEVENS, DOROTHY W REVOCABLE TRUST  
% TRUSTEE  
18 E 41ST ST #800  
NEW YORK, NY 10017-6222

**Priority Date:** APRIL 15, 1893

**Enforceable Priority Date:** APRIL 15, 1893

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** FLOOD

**Maximum Flow Rate:** 12.89 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:** 863.50

**Source Name:** LEBO 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	14	NENWSW	5	6N	14E	WHEATLAND

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

**Diversion Means:** HEADGATE

**Ditch Name:** NORTON AND LYONS DITCH

2		SWSWSW	34	7N	14E	WHEATLAND
---	--	--------	----	----	-----	-----------

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

**Diversion Means:** HEADGATE

3		NWSWSW	35	7N	14E	WHEATLAND
---	--	--------	----	----	-----	-----------

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

**Diversion Means:** HEADGATE

4		NESENW	22	6N	13E	WHEATLAND
---	--	--------	----	----	-----	-----------

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

**Diversion Means:** HEADGATE

**Reservoir:** OFF STREAM **Reservoir Name** LEBO LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NW	6	6N	14E	WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

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.

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

**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	360.00		W2	2	6N	14E	WHEATLAND
2	244.00		E2	3	6N	14E	WHEATLAND
3	42.00		N2N2	4	6N	14E	WHEATLAND
4	12.00		NE	5	6N	14E	WHEATLAND
5	37.00		S2S2	33	7N	14E	WHEATLAND
6	65.00		S2S2	34	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>
7	8.00		SENE	35	7N	14E	WHEATLAND
8	95.50		S2	35	7N	14E	WHEATLAND
<b>Total:</b>	863.50						

PLACE OF USE PARCEL NO 003 IS IN GOVERNMENT LOTS 2, 3, 4, 5, AND 6.

PLACE OF USE PARCEL NO 004 IS IN GOVERNMENT LOTS 1 AND 8.

<b>Geocodes/Valid:</b>		
44-1508-02-2-01-01-0000 - Y		44-1508-03-1-01-01-0000 - Y
44-1508-04-1-01-01-0000 - Y		44-1604-33-1-01-01-0000 - Y
44-1604-34-4-01-01-0000 - Y		44-1604-35-1-01-01-0000 - Y

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE 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.

198477-00	198478-00	198479-00	198480-00	198481-00	198482-00	198483-00
198484-00	198485-00	198486-00	198487-00	198488-00	198489-00	198490-00
198491-00	198492-00	198493-00	198494-00			

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/30/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/19/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/29/88.

SPLIT CLAIM NO. 40A 30064418 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 70663 RECEIVED 04/12/2010.

OWNERSHIP UPDATE TYPE WATER COURT ORDER # 108636 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.