

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 30064420 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: OCTOBER 24, 1903
Enforceable Priority Date: OCTOBER 24, 1903

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 112.00 GPM

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: UNNAMED TRIBUTARY OF BIG ELK CREEK
Source Type: SURFACE WATER

ALSO KNOWN AS LITTLE ALKALI 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		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
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

3		NWSWSW	35	7N	14E	WHEATLAND
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

4		NESENW	22	6N	13E	WHEATLAND
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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

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>
Total:	283.00						
Geocodes/Valid:		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.

THE TIMELY FILED OBJECTION OF AMERICAN FORK RANCH WAS AMENDED BY AMERICAN FORK RANCH TO INCLUDE SOURCE AND POINT OF DIVERSION. BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

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.