

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 44506-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT

**Version Status:** ACTIVE

**Owners:** DORN PROPERTY & HOMES LLC  
2048 EDGEWOOD DR  
BILLINGS, MT 59102-2890

**Priority Date:** JULY 25, 1868

**Enforceable Priority Date:** JULY 25, 1868

**Type of Historical Right:** FILED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 7.50 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:** 200.00

**Source Name:** BIGHORN RIVER

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</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 NOVEMBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** TWO LEGGINS CANAL

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

**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	40.00		NWSE	21	1N	33E	BIG HORN
2	160.00		SW	21	1N	33E	BIG HORN
<b>Total:</b>	200.00						

**Geocodes/Valid:** 22-1040-21-3-01-04-0000 - Y

**Remarks:**

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 02/14/1996.  
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 03/31/92.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 130235 RECEIVED 04/16/2015.

NO REVIEW OR DETERMINATION OF THE CLAIMED TYPE OF HISTORICAL RIGHT HAS BEEN MADE. ADDITIONAL EVIDENCE MAY BE REQUIRED BEFORE THIS CLAIM CAN BE DECREED.  
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:**

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED NOTICE OF APPROPRIATION IS MAY 21, 1909.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A FILED APPROPRIATION RIGHT.

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.