

Montana Water Court
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FILED
12/05/2023
Sara Calkins
CLERK
Montana Water Court
STATE OF MONTANA
By: D'Ann CIGLER
40A-0633-R-2023
Lockman, Melissa
1.00

IN THE WATER COURT OF THE STATE OF MONTANA
LOWER MISSOURI DIVISION
MUSSELSHELL RIVER ABOVE ROUNDUP (BASIN 40A)
PRELIMINARY DECREE

CLAIMANTS: George L. Cremer; Leo J. Cremer Jr.

OBJECTOR: Cremer Rodeo Land & Livestock Co.

CASE 40A-0633-R-2023
40A 187797-00

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Montana Water Court on the above stamped date. Please review this report carefully.

You may file a written objection to this Master's Report within **10 days** of the stamped date if you disagree or find errors with the Master's findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master's Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master's Report.

MASTER'S REPORT

Claim 40A 187797-00 appeared in the Preliminary Decree for the Musselshell River above Roundup (Basin 40A) issued on June 7, 2017. The claim is owned by

George L. Cremer and Leo J. Cremer, Jr. The claim received an objection from Cremer Rodeo Land & Livestock Co.

Claim 40A 187797-00 is consolidated into Case **40A-0633-R-2023** for purposes of this Master's Report.

FINDINGS OF FACT

1. Claim 40A 187797-00 was decreed as a claim for a domestic well in the NWSESW of Section 8, T3N, R18E, Sweet Grass County.

2. Cremer Rodeo Land & Livestock objected to the claim, stating:

The Sweet Grass County cadastral records indicates the current owner is Johnston, Ronda C, PO Box 276, Melville, MT 59055-0276.

3. Ownership of a water right claim may be updated at any time. If Ms. Johnston has an ownership interest in claim 40A 187797-00, she should file an ownership update form (Form 608) with the DNRC:



CONCLUSION OF LAW

1. Ms. Johnston has received notice of her potential ownership of claim 40A 187797-00. The DNRC processes ownership updates, and Ms. Johnston may file an ownership update with the DNRC at any time.

RECOMMENDATION

1. The elements of claim 40A 187797-00 should remain as they appeared in the Basin 40A Preliminary Decree.

A post decree abstract of the water right claim reflecting the recommendation is attached to this Report.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via Electronic Mail

Colleen Coyle
Coyle Law Firm
PO Box 1326
Bozeman, MT 59771
(406) 551-4868
colleen@coylelawmt.com

Service via USPS Mail

George L Cremer
Cremer Rodeo Land & Livestock Co
PO Box 276
Melville, MT 59055

Leo J Cremer Jr
241 S Frontage Road
Big Timber, MT 59011

Potential Owner

Ronda C. Johnston
PO Box 276
Melville, MT 59055-0276

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A**

Water Right Number: 40A 187797-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: DECEMBER 31, 1955

Type of Historical Right: FILED

Purpose (use): DOMESTIC

Flow Rate: 15.00 GPM

Volume: 5.00 AC-FT

Households: 1

Maximum Acres: 2.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

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		NWSESW	8	3N	18E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

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	2.00		NWSESW	8	3N	18E	SWEET GRASS
Total:	2.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

179837-00 187797-00

DNRC OWNERSHIP UPDATE INFORMATION

IMPORTANT INFORMATION

- If you do not attach copies of the full recorded chain of conveyance from the DNRC record owner to the new / current property / water right owner, DNRC cannot process the form. **Example:** Owner A files a water right and sells property to owner B but does not update the ownership of the water right. Owner B sells property to owner C who finds and attempts to update ownership of the water right. DNRC needs recorded conveyance documents from A to B and B to C because A is still listed in DNRC records.
- Do not file this form if only a portion of the seller's interest of the water right is being transferred. Complete and file Form 641 DNRC Ownership Update Divided Interest.
- Do not file this form if you are severing a water right. Complete and file Form 642 DNRC Ownership Update Exempt (Reserved) / Severed Water Right.
- Do not file this form if your only use of water is from an irrigation district, municipal system, water users' association, or other public water supply.
- If the sale is on a Contract for Deed, the seller will remain listed as a co-owner of the water right until the contract is satisfied.

IF YOU HAVE QUESTIONS, CONTACT YOUR LOCAL WATER RESOURCES REGIONAL OFFICE.

BILLINGS

Airport Business Park
1371 Rimtop Dr.
Billings, MT 59105
406-247-4415

Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Stillwater, Sweet Grass, Treasure, & Yellowstone Counties

HELENA

1424 9th Ave
PO Box 201601
Helena, MT 59620
406-444-6999

Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis & Clark, Powell, & Silver Bow Counties

BOZEMAN

2273 Boot Hill Court, Suite 110
Bozeman, MT 59715
406-586-3136

Gallatin, Madison, & Park Counties

KALISPELL

655 Timberwolf Parkway, Suite 4
Kalispell, MT 59901-1215
406-752-2288

Flathead, Lake, Lincoln, & Sanders Counties

GLASGOW

222 Sixth St. South; PO Box 1269
Glasgow, MT 59230
406-228-2561

Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley, & Wibaux Counties

LEWISTOWN

613 NE Main, Suite E
Lewistown, MT 59457
406-538-7459

Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, & Wheatland Counties

HAVRE

210 6th Ave.; PO Box 1828
Havre, MT 59501
406-265-5516

Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, & Toole Counties

MISSOULA

2705 Spurgin Rd, Bldg C
PO Box 5004
Missoula, MT 59806

Granite, Mineral, Missoula, & Ravalli Counties



<http://www.dnrc.mt.gov/divisions/water>