

IN THE WATER COURT OF THE STATE OF MONTANA
YELLOWSTONE RIVER BELOW POWDER RIVER - BASIN (42M)
INTERLOCUTORY DECREE

CLAIMANTS: Larry Christofferson; Rolane Christofferson

CASE 42M-0034-I-2023
42M 30145222

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

FINDINGS OF FACT

1. The record owners of domestic claim 42M 30145222 are Larry Christofferson and Rolane Christofferson.
2. Claim 42M 30145222 was decreed with the following DNRC issue remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 42M DECREE ISSUED 01/24/2014.
NO QUANTIFIED VOLUME WAS CLAIMED. THE VOLUME GUIDELINE FOR THIS PURPOSE IS 1.5 ACRE-FEET
PER YEAR.

All issue remarks must be resolved.

3. An Order was issued setting a deadline to determine if Claimants Larry Christofferson and Rolane Christofferson agree that a 1.50 acre-feet volume be added to claim 42M 30145222.

4. Rolane Christofferson telephoned this Water Master on October 3, 2023 and confirmed that the Claimants agree with the 1.50 acre-feet volume guideline for claim 42M 30145222.

PRINCIPLES AND CONCLUSIONS OF LAW

1. The Water Court must address all issue remarks decreed on a claim. Sections 85-2-247 and 85-2-248, MCA.

2. The volume guideline for a single household is 1.50 acre-feet. Rule 19(b)(2), W.R.C.E.R. Claim 42M 30145222 is a claim for one household and 1.50 acre-feet is an appropriate volume.

3. The remark indicating claim 42M 30145222 was not included in the 2014 decree is a notice-type remark. As no objections were filed, no further proceedings are required.

RECOMMENDATIONS

1. A 1.50 acre-feet volume should be added to claim 42M 30145222.

2. The issue remarks should be removed from claim 42M 30145222.

A Post Decree Abstract of Water Right Claim is served with the Report for review.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail:

Larry Christofferson
Rolane Christofferson
P.O. Box 464
Terry, MT 59349

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POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, BELOW POWDER RIVER
BASIN 42M

Water Right Number: 42M 30145222 STATEMENT OF CLAIM
Version: 2 -- POST DECREE
Status: ACTIVE

Owners: LARRY CHRISTOFFERSON
PO BOX 464
TERRY, MT 59349

ROLANE CHRISTOFFERSON
PO BOX 464
TERRY, MT 59349

***Priority Date:** JULY 1, 2019
Type of Historical Right: USE
Purpose (use): DOMESTIC
Flow Rate: 10.00 GPM
Volume: 1.50 AC-FT
Households: 1

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		NENWNE	21	12N	51E	PRAIRIE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: WELL
Subdivision: FILLENWORTH ADD TRACT/LOT: 20-22 BLOCK: 14
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			NENWNE	21	12N	51E	PRAIRIE

Subdivision: FILLENWORTH ADD TRACT/LOT: 20-22 BLOCK: 014