

Montana Water Court  
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watercourt@mt.gov

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 301452222.
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

\JUDHLNSRV-DATA\Share\JUDGALH20SRV (Datavol)\Share\WC-BASIN FOLDERS\42M ILT\Cases\42M-0039-I-2023\42M-0034-I-2023 MR 10.03.23 rc.docx

**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