

Montana Water Court
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FILED
12/19/2024
Sara Calkins
CLERK
Montana Water Court
STATE OF MONTANA
By: D'Ann CIGLER
41K-0314-R-2024
McElyea, Russ
7.00

IN THE WATER COURT OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
SUN RIVER BASIN (41K)
PRELIMINARY DECREE

CLAIMANT: Blenton Ranch Co.

CASE 41K-0314-R-2024
41K 160371-00
41K 30127883

ORDER AMENDING AND ADOPTING MASTER'S REPORT

Pursuant to Montana Code Annotated, Section 85-2-233(5), Case 41K-0314-R-2024 was assigned to Senior Water Master Madeleine Weisz. The Water Master filed a Report containing Findings of Fact and Conclusions of Law with the Clerk of Court. Copies of the Report were served on the parties on December 2, 2024. On December 12, 2024, Blenton Ranch Co. filed an Objection to the Master's Report.

The Objection relates to an erroneous change to the place of use for claim 41K 30127883. The place of use for claim 41K 30127883 was decreed as being located in the NENWNW of Section 6, T21N, R6W. The claimant did not request any changes to the place of use and the Master's Report did not recommend any changes to the place of use. However, the abstract attached to the Master's Report incorporated a change to the place of use resulting in it being identified as the NESWSW of Section 31, T22N, R6W, which is incorrect. The place of use will be restored to the NENWNW of Section 6, T21N, R6W.

The Court has reviewed the Water Master's Findings and Conclusions. Pursuant to Rule 53(e), Montana Rules of Civil Procedure, the Court **ADOPTS** the Master's Report with the above referenced amendments.

Updated abstracts are attached to confirm the modifications have been made in the statewide database.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via Electronic Mail:

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**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 160371-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

Priority Date: DECEMBER 31, 1947

Type of Historical Right: USE

Purpose (Use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF SUN RIVER

Source Type: SURFACE WATER

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF SUN 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		NENW	8	21N	6W	TETON

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF SUN RIVER

Period of Diversion: OCTOBER 1 TO MAY 1

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SESW	8	21N	6W	TETON
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Source Name: UNNAMED TRIBUTARY OF SUN RIVER

Period of Diversion: OCTOBER 1 TO MAY 1

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: OCTOBER 1 TO MAY 1

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			NENW	8	21N	6W	TETON
2			SESW	8	21N	6W	TETON

Remarks:

IMPLIED CLAIM NO. 41K 216308-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 30127883 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

Priority Date: DECEMBER 31, 1940

Type of Historical Right: USE

Purpose (Use): STOCK

Flow Rate: 35.00 GPM

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF SUN RIVER

Source Type: GROUNDWATER
ALSO KNOWN AS HOUSE SPRING

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		NESWSW	31	22N	6W	TETON

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DEVELOPED SPRING

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			NENWNW	6	21N	6W	TETON