

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

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CLAIMANTS: Linda K. Teig; Ronald E. Teig Sr; 71 Ranch LP	CASE 40A-0376-R-2022
OBJECTORS: Linda K. Teig; Ronald E. Teig Sr.	40A 12513-00
COUNTEROBJECTOR: 71 Ranch LP	40A 205659-00

ORDER AMENDING AND ADOPTING MASTER’S REPORT

Pursuant to Montana Code Annotated, §85-2-233(5), this Case was assigned to Senior Water Master Melissa Lockman. The Water Master filed a Report containing Findings of Fact and Conclusions of Law with the Clerk of Court. (Doc.¹ 33.00). Claimants Linda K. Teig and Ronald E. Teig, Sr. (Teigs) filed a timely objection to the Master’s Report. (Doc. 34.00).

The Teigs’s objection requests the following information remark be added to claim 40A 205659-00:

CLAIM 40A 205659-00 IS SUBORDINATE TO CLAIM 40A 12513-00. CLAIM 40A 205659-00 MAY NOT COMPEL THE DELIVERY OF WATER TO THE PLACE OF USE FROM THE OWNER OF CLAIM 40A 12513-00 UNLESS CLAIM 40A 12513-00 IS BEING USED FOR ACTIVE IRRIGATION.

The stipulation filed by the parties specifically requested this information remark be added to the abstract of claim 40A 205659-00. (Doc. 29.00). The Master’s Report

¹ “Doc.” numerical references correlate to case file docket numbers in the Water Court’s Full Court case management system.

failed to add the information remark to claim 40A 205659-00. This omission is noted and corrected by this Order.

Pursuant to Rule 53(e), Montana Rules of Civil Procedure, the Court **ADOPTS** the Master's Report and its Recommendations as amended herein and **APPROVES** the correction to the centralized computer record system that is reflected on the abstract served with this Order.

ELECTRONICALLY SIGNED AND DATED BELOW.

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Notice: Service List Updated 7.9.24

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

Water Right Number: 40A 205659-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: 71 RANCH LP
40 71 RANCH LN
MARTINSDALE, MT 59053-8709

Priority Date: JULY 13, 1898

CLAIM 40A 205659-00 IS SUBORDINATE TO CLAIM 40A 12513-00. CLAIM 40A 205659-00 MAY NOT COMPEL THE DELIVERY OF WATER TO THE PLACE OF USE FROM THE OWNER OF CLAIM 40A 12513-00 UNLESS CLAIM 40A 12513-00 IS BEING USED FOR ACTIVE IRRIGATION.

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.46 CFS

THE COMBINED FLOW RATE FOR CLAIMS 40A 12513-00 AND 40A 205659-00 IS LIMITED TO 7.50 CFS.

Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 51.20

Source Name: LOCO CREEK

Source Type: SURFACE WATER

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	6	NWSW	6	6N	11E	MEAGHER

Period of Diversion: MAY 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Period of Use: MAY 1 TO SEPTEMBER 30

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	10.00		NWSW	20	7N	11E	MEAGHER
2	13.70		SWSW	20	7N	11E	MEAGHER
3	27.00		SESE	19	7N	11E	MEAGHER
4	0.50		SESWSW	19	7N	11E	MEAGHER

Total: 51.20