

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

CLAIMANTS: Jody L. Sandru; Rick R. Sandru

OBJECTORS: Jody L. Sandru; Rick R. Sandru

NOTICE OF INTENT TO APPEAR: United States, DOI
 Bureau of Reclamation

CASE 41G-0524-R-2022

41G 16808-00
 41G 16809-00
 41G 16810-00
 41G 16811-00
 41G 16812-00
 41G 16813-00
 41G 16814-00
 41G 16815-00
 41G 35202-00
 41G 35212-00
 41G 46132-00

ORDER AMENDING AND ADOPTING MASTER'S REPORT

Pursuant to Montana Code Annotated, Section 85-2-233(5), Case 41G-524-R-2022 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 June 2, 2025. On the same day, Rick and Jody Sandru filed an Objection to the Master's Report indicating the Master's Report contained errors requiring correction.

The Sandrus' motion to amend claim 41G 16813-00 requested an information remark be added concerning how the water is conveyed. The Master's Report contained clerical errors in how it described the remark and the error was carried through to the abstract attached to the Master's Report. The remark will be corrected to:

AN OLD JEFFERSON RIVER CHANNEL IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM REDFERN SPRING TO SECONDARY POINTS OF DIVERSION LOCATED IN THE NWSNW (PUMP), NESENW (HEADGATE), AND NENWNW (PUMP), SEC 35, TWP 02S, RGE 06W, MADISON COUNTY.

Additionally, claim 41G 16811-00 appeared in the Preliminary Decree with information remarks stating that the claim is subject to a change authorization and that the approved changes will be recorded after Final Decree. The Sandrus indicate that the changes described in the change authorization occurred before 1973 and are accurately reflected on the Preliminary Decree abstract. The Sandrus request that the change authorization information remarks be removed from the abstracts. The change authorization information remarks are not necessary for administration of the water right and, according to the Sandrus, they are not accurate. The change authorization information remarks will be removed from the abstracts.

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.

Post-Decree Abstracts are attached to confirm that the amendments noted above have been implemented in the state's centralized record system.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via Electronic Mail:

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**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JEFFERSON RIVER
BASIN 41G**

Water Right Number: 41G 16811-00 STATEMENT OF CLAIM

Version: 5 -- POST DECREE

Status: ACTIVE

Owners: JODY L SANDRU
480 BAYERS LN
TWIN BRIDGES, MT 59754-9615

RICK R SANDRU
480 BAYERS LN
TWIN BRIDGES, MT 59754-9615

Priority Date: SEPTEMBER 25, 1939

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 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:** 464.00

***Source Name:** JEFFERSON RIVER

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		W2SE	34	2S	6W	MADISON

Period of Diversion: APRIL 20 TO NOVEMBER 1

Diversion Means: DIVERSION DAM

2		NWNESE	34	2S	6W	MADISON
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Period of Diversion: APRIL 20 TO NOVEMBER 1

Diversion Means: DIVERSION DAM

3		SENE	34	2S	6W	MADISON
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Period of Diversion: APRIL 20 TO NOVEMBER 1

Diversion Means: DIVERSION DAM

POINT OF DIVERSION IS TRANSITORY AND MOVES WITH SOURCE WITHIN LEGAL LAND DESCRIPTION

Period of Use: APRIL 20 TO NOVEMBER 1

***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	134.00		SW	26	2S	6W	MADISON
2	64.00		W2SE	26	2S	6W	MADISON

3	80.00	W2E2	35	2S	6W	MADISON
4	43.00	NW	35	2S	6W	MADISON
5	143.00	SW	35	2S	6W	MADISON
Total:						464.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

16808-00	16809-00	16810-00	16811-00	16812-00	16813-00
16814-00	16815-00				

OLD JEFFERSON RIVER CHANNEL IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM THE JEFFERSON RIVER TO SECONDARY POINTS OF DIVERSION LOCATED IN THE SESWNW (PUMP), NWSENW (PUMP), NESENW (HEADGATE) AND NENWNW (PUMP), SEC 35, T2S, R6W, MADISON COUNTY.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JEFFERSON RIVER
BASIN 41G**

Water Right Number: 41G 16813-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: JODY L SANDRU
480 BAYERS LN
TWIN BRIDGES, MT 59754-9615

RICK R SANDRU
480 BAYERS LN
TWIN BRIDGES, MT 59754-9615

Priority Date: JUNE 6, 1905

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 5.00 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: 263.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF JEFFERSON RIVER

Source Type: GROUNDWATER

ALSO KNOWN AS REDFERN SPRING

THE SOURCE IS COMPOSED OF SPRINGS, SLOUGHS AND SEEPAGE WATERS.

***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		SENENW	2	3S	6W	MADISON

Period of Diversion: APRIL 15 TO NOVEMBER 15

Diversion Means: DITCH

Period of Use: APRIL 15 TO NOVEMBER 15

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	24.00		W2NW	25	2S	6W	MADISON
2	26.00		E2NE	26	2S	6W	MADISON
3	1.00		NWNESE	26	2S	6W	MADISON
4	58.00		W2SE	26	2S	6W	MADISON
5	1.00		SESESW	26	2S	6W	MADISON
6	76.00		W2E2	35	2S	6W	MADISON
7	77.00		E2W2	35	2S	6W	MADISON

Total: 263.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

16808-00	16809-00	16810-00	16811-00	16812-00	16813-00
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NO JEFFERSON RIVER WATER IS ASSOCIATED WITH WATER RIGHT CLAIM NO. 41G 16813-00. THE DIVERTED FLOW RATE FROM THE JEFFERSON RIVER, WHICH IS USED FOR IRRIGATION PURPOSES, MAY NOT EXCEED THE FLOW RATE ENTERING THE JEFFERSON RIVER AS MEASURED AT THE DRAINAGE DITCH AT A POINT IMMEDIATELY BEFORE TERMINATING INTO THE JEFFERSON RIVER IN THE NWSNW SECTION 35, T2S, R6W.