

MONTANA WATER COURT  
UPPER MISSOURI DIVISION  
MISSOURI RIVER ABOVE HOLTER DAM  
BASIN (41I)  
PRELIMINARY DECREE

\* \* \* \* \*

CLAIMANT: Rocky Mountain Skies LLC

**CASE 41I-2071-R-2025**

41I 89704-00

**ORDER DISMISSING CLAIM AND CLOSING CASE**

Claim 41I 89704-00 is a mining claim for use of water from an unnamed spring tributary of Indian Creek. The claim was included in the Preliminary Decree with issue remarks indicating the claim has not been used since 1960 and that there appeared to be no use for the ten years prior to 1973.

The issue remarks on the claim raise the issue of potential abandonment. A long period of nonuse creates a rebuttable presumption of intent to abandon the water right. *In re Claimant: Red Dog Ranch LLC*, 2025, Mont. Water LEXIS AT \*6.

A deadline was set for the claimant Rocky Mountain Skies LLC (“Rocky Mountain”) to file evidence of use of the claim between 1960 and 1973, but Rocky Mountain failed to file any evidence. On October 3, 2025, the Court ordered Rocky Mountain to file evidence by October 31, 2025 to show why claim 41I 89704-00 should not be dismissed as abandoned. The Court further stated that if nothing was filed by the deadline claim 41I 89704-00 would be dismissed. Nothing was filed by the deadline. Therefore, it is

ORDERED that claim 41I 89704-00 is DISMISSED. A Post Decree Abstract of Water Right Claim is served with this Order to confirm the claim has been dismissed in the state's centralized water right record system.

ORDERED that case 41I-2071-R-2025 is CLOSED.

**ELECTRONICALLY SIGNED AND DATED BELOW.**

**Service via USPS Mail:**

Rocky Mountain Skies LLC  
1001 S Main St Ste 49  
Kalispell, MT 59901

**Service via Electronic Mail:**

Rocky Mountain Skies LLC  
12kamps@gmail.com

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MISSOURI RIVER, ABOVE HOLTER DAM  
BASIN 41I**

**Water Right Number:**      **41I 89704-00**    STATEMENT OF CLAIM

**Version:**      3 -- POST DECREE

**Status:**      **DISMISSED**

**Owners:**                      ROCKY MOUNTAIN SKIES LLC  
   1001 S MAIN ST STE 49  
   KALISPELL, MT 59901-5635

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):**                      MINING

**Flow Rate:**

**Volume:**

**Source Name:**                      SPRING, UNNAMED TRIBUTARY OF INDIAN CREEK

**Source Type:**                      SURFACE WATER

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.