

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

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CLAIMANTS: Diamond Legacy Ltd Partnership; James F. Lane;
Meadow Creek Livestock LLC

CASE 41I-1061-R-2025
41I 1618-00

CLOSING ORDER

The above-captioned claim was included in the Preliminary Decree for the Missouri River above Holter Dam (Basin 41I) issued on June 24, 2022. Claim 41I 1618-00 is for irrigation from Meadow Creek and is subject to issue remarks resulting from examination by the Department of Natural Resources and Conservation (“DNRC”).

Pursuant to Mont. Code Ann. Section 85-2-248(5), the Court required Claimants Diamond Legacy Ltd Partnership, James F. Lane, and Meadow Creek Livestock LLC to work with the DNRC to resolve the following issue remarks:

FLOW RATE MAY REQUIRE MODIFICATION BASED ON
RESOLUTION OF MAXIMUM ACRES ISSUE.

THE LEGAL LAND DESCRIPTION FOR POINTS OF DIVERSION NO.
2, 3, AND 4 COULD NOT BE REFINED FROM INFORMATION IN THE
FILE. THE CLAIMED POINTS OF DIVERSION CANNOT BE
CONFIRMED.

THE MEAGHER COUNTY WATER RESOURCES SURVEY (1950)
APPEARS TO INDICATE 40.00 ACRES IRRIGATED. A DESCRIPTION
OF THESE ACRES IS IN THE CLAIM FILE.

THIS CLAIM APPEARS TO BE CLAIMING SEPARATE SOURCES OF
WATER. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

Claimants failed to contact the DNRC. On May 30, 2025, the DNRC filed a Memorandum with recommendations to resolve the issue remarks. The recommendations were as follows:

- Reduce the acres from 168.00 to 114.00 as shown in the Water Resources Survey;
- Correct point of diversion No. 3 to NWNWSE, Section 8, Township 5N, Range 7E;
- Correct point of diversion No. 4 to SESENE, Section 9, Township 5N, Range 7E;

On August 20, 2025, the Court ordered claimants to file evidence to show cause why claim 41I 1618-00 should not be modified in accordance with the DNRC's recommendations. Claimants did not respond. Pursuant to Rule 22, Water Right Adjudication Rules, the Court may issue sanctions for failure to comply with the terms of an Order, including modification of the claim to conform with information before the Court.

Therefore, it is

ORDERED that the claim is modified to conform with the DNRC's recommendations. A post decree abstract is filed with this order to confirm the modifications have been made in the state water right database.

ORDERED that proceedings in this case are CLOSED.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail:

Diamond Legacy Ltd Partnership
James F. Lane
% Emerald Cross Ranch
PO Box 1908
Harlowton, MT 59036

Meadow Creek Livestock LLC
27600 Rocky Mountain Rd
Belgrade, MT 59714

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

Water Right Number: 41I 1618-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JAMES F LANE
% EMERALD CROSS RANCH
PO BOX 1908
HARLOWTON, MT 59036-1908

DIAMOND LEGACY LTD PARTNERSHIP
PO BOX 1908
HARLOWTON, MT 59036-1908

MEADOW CREEK LIVESTOCK LLC
27600 ROCKY MOUNTAIN RD
BELGRADE, MT 59714-8013

Priority Date: OCTOBER 15, 1897

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 3.75 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: 114.00

***Source Name:** MEADOW CREEK

Source Type: SURFACE WATER

***Source Name:** UNNAMED TRIBUTARY OF MEADOW 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		SWSNW	8	5N	7E	MEAGHER

***Source Name:** MEADOW CREEK

Period of Diversion: MAY 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: MANGER DITCH

2		SWSNW	8	5N	7E	MEAGHER
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***Source Name:** MEADOW CREEK

Period of Diversion: MAY 1 TO OCTOBER 15

Diversion Means: HEADGATE

3

NWNWSE85N7E

MEAGHER

Source Name: UNNAMED TRIBUTARY OF MEADOW CREEK

Period of Diversion: MAY 1 TO OCTOBER 15

Diversion Means: HEADGATE

4

SESENE85N7E

MEAGHER

*Source Name: MEADOW CREEK

Period of Diversion: MAY 1 TO OCTOBER 15

Diversion Means: HEADGATE

5

NWNWNW95N7E

MEAGHER

*Source Name: MEADOW CREEK

Period of Diversion: MAY 1 TO OCTOBER 15

Diversion Means: HEADGATE

POINT OF DIVERSION NO. 4 IS ON A SPRING, TRIBUTARY OF MEADOW CREEK.

Period of Use: MAY 1 TO OCTOBER 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	7.49		S2SE	8	5N	7E	MEAGHER
2	1.83		N2NW	8	5N	7E	MEAGHER
3	32.68		NE	8	5N	7E	MEAGHER
4	8.25		NW	9	5N	7E	MEAGHER
5	63.75		W2	4	5N	7E	MEAGHER
Total:	114.00						

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*Source Name: MEADOW CREEK

Period of Diversion: MAY 1 TO OCTOBER 15

Diversion Means: HEADGATE

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MEAGHER

*Source Name: MEADOW CREEK

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