FILED
10/06/2026
Melissa Lockman
CLERK
Montana Water Court
STATE OF MONTANA
By: D'Ann CIGLER
41O-0012-I-2026
Stern, Anika
2.00

Montana Water Court
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MONTANA WATER COURT
UPPER MISSOURI DIVISION
TETON RIVER
BASIN 41O
INTERLOCUTORY DECREE

* *

CLAIMANTS: Roxann Evensen; Thomas Chris Evensen

CASE 41O-0012-I-2026
41O 159253-00

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Montana Water Court on the above-stamped date. Please review this report carefully.

You have **13 days** from the service date of the notice of filing of this report to file a written objection or request an extension of the objection period. Rule 23, Water Right Adjudication Rules; Rule 6, Montana Rules of Civil Procedure. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master's Report.

MASTER'S REPORT

FINDINGS OF FACT

1. Roxann Evensen and Thomas Chris Evensen are the record owners of claim 41O 159253-00.

2. The Statement of Claim for claim 41O 159253-00 was submitted on April 19, 1982, by David B. Lindseth on behalf of Lindseth Ranch. Mr. Lindseth neither signed nor notarized the Statement of Claim.

3. Claim 41O 159253-00 was decreed in the Basin 41O Preliminary Decree with the following Montana Department of Natural Resources and Conservation ("DNRC") issue remark:

CLAIM FORM NOT SIGNED OR NOTARIZED.

4. An Order was issued setting a deadline for Claimants Roxann Evensen and Thomas Chris Evensen to file a sworn (signed) statement verifying claim 41O 159253-00 is true and correct to the best of their knowledge. (Doc.[1]1.00). Nothing was filed by the October 2, 2026, deadline.

PRINCIPLES OF LAW

1. Under Section 85-2-224(1)(g), MCA, the statement of claim must include a "sworn statement that the claim set forth is true and correct to the best of claimant's knowledge and belief."

2. If claimants fail to comply with an Order issued by the Water Court in its review of issue remarks, including an Order issued by a Water Master appointed by the Court, the Court on its own initiative may amend or dismiss claims to conform with information in the claim file or information obtained as part of the adjudication process. Section 85-2-248(9) MCA.

CONCLUSIONS OF LAW

1. No claimant has sworn that claim 41S 159253-00 is true and correct.

2. The information before the court indicates that claim 41S 159253-00 should be dismissed.

RECOMMENDATION

Claim 41S 159253-00 should be dismissed.

An abstract is attached for review.

[1] "Doc." numerical references correlate to case file docket numbers in the Water Court's Full Court case management system.

Electronically Signed By:
Hon. Judge Anika Stern
Tue, Oct 06 2026 12:01:18 PM

Service via USPS Mail

Roxann Evensen
Thomas Chris Evensen
834 20th Rd NW
Choteau, MT 59422

POST DECREE

ABSTRACT OF WATER RIGHT CLAIM

TETON RIVER

BASIN 41O

Water Right Number: **41O 159253-00** STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: **DISMISSED**

Owners: ROXANN EVENSEN
834 20TH RD NW
CHOTEAU, MT 59422

THOMAS CHRIS EVENSEN
834 20TH RD NW
CHOTEAU, MT 59422

Priority Date:

Type of Historical Right:

Purpose (Use): STOCK

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF SPRING COULEE

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.