FILED
10/30/2026
Melissa Lockman
CLERK
Montana Water Court
STATE OF MONTANA
By: D'Ann CIGLER
76I-0010-R-2026
Thompson, Eliot
5.00

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MONTANA WATER COURT
CLARK FORK DIVISION
FLATHEAD RIVER, MIDDLE FORK
(BASIN 76I)
PRELIMINARY DECREE
* * * * * * * * * * * * * * * * * * * *

CLAIMANT: United States, DOA Forest Service	**CASE 76I-0010-R-2026** 76I 169313-00 76I 169314-00

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

The above-captioned claims appeared in the Preliminary Decree for the Middle Fork of the Flathead River (Basin 76I) issued on December 6, 2024. The United States Department of Agriculture – Forest Service ("United States") owns both claims.

FINDINGS OF FACT

1. Claims 76I 169313-00 and 76I 169314-00 received the same issue remarks:

> PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE $150.00.
>
> CLAIM FILED LATE 11/26/1982 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA

2. On August 21, 2026, the United States filed a Notice of Withdrawal of Statements of Claim for claims 76I 169313-00 and 76I 169314-00.

PRINCIPLES AND CONCLUSIONS OF LAW

1. If a claimant agrees to reduce or limit a claim, the Water Court may accept the reduction or limitation without reviewing further evidence, unless an unresolved issue remark remains. Rule 17(c), W.R.Adj.R.

2. The United States' withdrawal of claims 76I 169313-00 and 76I 169314-00 resolves the fee insufficient issue remark, and no unresolved issue remarks remain.

RECOMMENDATION

Claims 76I 169313-00 and 76I 169314-00 should be dismissed.

Post Decree Abstracts of Water Right Claim reflecting the recommended dismissals are served with this Report.

Service via Electronic Mail:

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(Attorney for United States, DOA Forest Service)

Electronically Signed By:
Hon. Judge Eliot Thompson
Fri, Oct 30 2026 08:49:10 AM

POST DECREE

ABSTRACT OF WATER RIGHT CLAIM

FLATHEAD RIVER, MIDDLE FORK

BASIN 76I

Water Right Number: **76I 169313-00** STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: **DISMISSED**

Late Claim: B

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
WATER RIGHTS PROGRAM MANAGER, NORTHERN REGION
26 FORT MISSOULA RD
MISSOULA, MT 59804-7203

***Priority Date:**

Enforceable Priority Date:

Type of Historical Right:

Purpose (Use): COMMERCIAL

Flow Rate:

Volume:

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

POST DECREE

ABSTRACT OF WATER RIGHT CLAIM

FLATHEAD RIVER, MIDDLE FORK

BASIN 76I

Water Right Number: **76I 169314-00** STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: **DISMISSED**

Late Claim: B

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
WATER RIGHTS PROGRAM MANAGER, NORTHERN REGION
26 FORT MISSOULA RD
MISSOULA, MT 59804-7203

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (Use): COMMERCIAL

Flow Rate:

Volume:

Source Name: FLATHEAD RIVER, MIDDLE FORK

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.