

Montana Water Court
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FILED

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Montana Water Court

MONTANA WATER COURT, UPPER MISSOURI DIVISION
BEAVERHEAD RIVER - BASIN 41B

CLAIMANT: Stone Creek Ranches Inc.

OBJECTORS: United States of America (Bureau of Reclamation);
Gretchen H. Burke; Stephen B. Burke; Stone Creek
Ranches Inc.

NOTICE OF INTENT TO APPEAR: Water Users Irrigation Co.

CASE 41B-197
41B 110652-00
41B 110653-00
41B 110657-00
41B 110660-00
41B 110662-00

**ORDER PARTIALLY ADOPTING MASTER'S REPORT AND
ORDER CLOSING CASE**

On July 22, 2016 the Water Master issued a Master's Report in this case. On August 11, 2016 Stone Creek Ranches Inc. filed objections to the Master's Report. On October 24, 2016 the Water Court issued an order addressing the objections to the Master's Report. The analysis and substantive details from that order will not be repeated here. In the October 24 order, the Water Court declined to adopt the Master's recommendations for claims 41B 110653-00 and 41B 110657-00. The order also set a deadline for the United States to inform the Court whether its objections were resolved.

On November 1, 2016 the United States filed a Status Report indicating its objections to claims 41B 110653-00 and 41B 110657-00 remained resolved, despite the changes made to the two claims by the October 24 order.

Therefore, it is

ORDERED the Water Court declines to adopt the Master's Report for claims 41B 110653-00 and 41B 110657-00.

ORDERED the abstracts for 41B 110653-00 and 41B 110657-00 shall appear in the Final Decree for Basin 41B as shown on the attached abstracts. The abstracts are amended in accordance with this Court's October 24, 2016 Order Regarding Objection to Master's Report.

ORDERED the remainder of the Master's Report regarding claims 41B 110652-00, 41B 110660-00, and 41B 110662-00 is ADOPTED.

ORDERED case 41B-197 is CLOSED.

DATED this 9th day of November, 2016.



Russ McElyea
Chief Water Judge

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