

IN THE WATER COURTS OF THE STATE OF MONTANA
CLARK FORK DIVISION - FLINT CREEK BASIN (76GJ)
* * * * *

IN THE MATTER OF THE ADJUDICATION OF)
THE EXISTING RIGHTS TO THE USE OF ALL) 76GJ-W-146819-00
THE WATER, BOTH SURFACE AND UNDERGROUND,) 76GJ-W-214141-00
WITHIN THE FLINT CREEK DRAINAGE AREA)
INCLUDING ALL TRIBUTARIES OF THE FLINT)
CREEK IN GRANITE AND DEER LODGE)
COUNTIES, MONTANA.)

FILED

JUL 23 1990

CLAIMANT: Mitchell Munis

OBJECTOR: Mitchell Munis, Mt. Dept. of State Lands **Montana Water Court**

ORDER ADOPTING MASTER'S REPORT

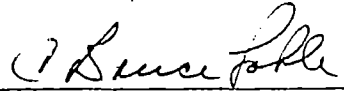
Pursuant to Montana Code Annotated, Section 85-2-233(4), the above entitled case was assigned to Water Master Kathryn L. W. Lambert. On February 28, 1990, the Water Master issued a report containing Findings of Fact and Conclusions of Law. Copies of the report were served upon the parties. An objection to the Master's Report was filed by the Montana State Board of Land Commissioners, Department of State Lands.

The objection to the Master's Report concerns the Master's determination that the late objection to this claim cannot be heard at this time as basin-wide notice of the issues raised in the objection has not been given. Regardless of the equitable arguments for proceeding with the late objection at this time, the Water Court will not hear objections without the prerequisite notice. The Master's decision to stay the hearing of the late objection until after proper notice is correct and is hereby affirmed.

The Court has reviewed carefully the Water Master's Findings and Conclusions. Pursuant to Rule 53(e), Montana Rules of Civil Procedure, the Court adopts the Master's Report and

ORDERS that changes recommended in the Master's Conclusions of Law be made to the abstract of claim(s) listed above as they appear in the Temporary Preliminary Decree of the Flint Creek Basin (76GJ) and implied claim 76Gj-W-214141-00 be generated.

DATED this 18th day of July, 1990.



C. Bruce Loble
Chief Water Judge

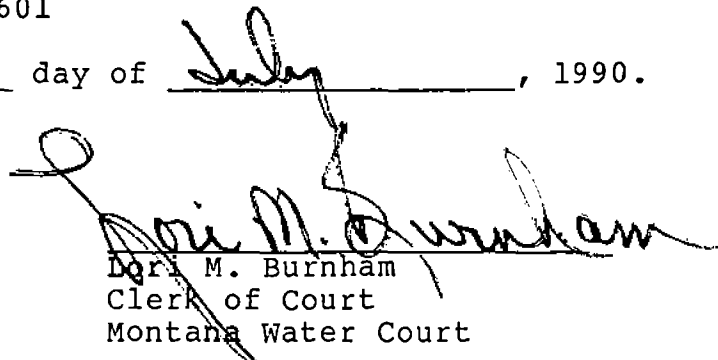
CERTIFICATE OF SERVICE

I, Lori M. Burnham, Clerk of Court of the Montana Water Court, hereby certify that a true and correct copy of the above ORDER ADOPTING MASTER'S REPORT was duly served upon the persons listed below by depositing the same, postage prepaid, in the United States mail.

Mitchell Munis
P. O. Box 246
Philipsburg, MT 59858

Lyle Manley, Attorney
Dept. of State Lands
Capitol Station
Helena, MT 59601

DATED this 23 day of July, 1990.



Lori M. Burnham
Clerk of Court
Montana Water Court