

IN THE WATER COURT OF THE STATE OF MONTANA
CLARK FORK DIVISION
WESTSIDE SUBBASIN OF THE BITTERROOT RIVER BASIN (76HF)

IN THE MATTER OF THE ADJUDICATION)	CASE NO. 76HF-168
OF THE EXISTING RIGHTS TO THE USE)	
OF ALL THE WATER, BOTH SURFACE AND)	76H-W-050533-00
UNDERGROUND, WITHIN THE WESTSIDE)	
SUBBASIN OF THE BITTERROOT RIVER)	
DRAINAGE AREA, INCLUDING ALL)	
TRIBUTARIES OF THE WESTSIDE)	
SUBBASIN OF THE BITTERROOT RIVER)	
IN RAVALLI COUNTY, MONTANA)	

CLAIMANT: United States of America (USDA Forest Service);
Big Creek Lakes Reservoir Association

OBJECTOR: Big Creek Lakes Reservoir Association
United States of America (USDA Forest Service);
United States of America (Bureau of Indian Affairs);
Avista Corporation;
MT Department of Fish, Wildlife, and Parks

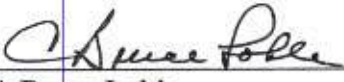
ORDER ADOPTING MASTER'S REPORT

Pursuant to Montana Code Annotated, §85-2-233(5), the above entitled case was assigned to Water Master Douglas Ritter. The Water Master filed a report containing Findings of Fact and Conclusions of Law with the Clerk of Court. Copies of the report were served upon the parties on July 21, 2005. Over ten (10) days have elapsed since service, and no objections to the Findings and Conclusions of Water Right Claim 76H-W-050533-00 have been filed by any party.

The Court has reviewed the Water Master's Findings and Conclusions. Pursuant to Rule 53(e), Montana Rules of Civil Procedure, the Court **ADOPTS** the Master's Report pertaining to Water Right Claim 76H-W-050533-00 and

ORDERS that the Abstract of Water Right Claim 76H-W-050533-00 as Modified by the Montana Water Court be served with this Order to confirm that the recommendations set forth in the Master's Report have been adopted for the claim listed in the above caption.

DATED this 8 day of August, 2005.


C. Bruce Loble
Chief Water Judge

CERTIFICATE OF SERVICE

I, Patricia J. Gunderson, Deputy 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.

Big Creek Lakes Reservoir
Association
% Kay Neal
2850 Rippling Woods
Victor MT 59875

Alison Roberts, Attorney
2596 S Lewis Way
Lakewood CO 80227

K.D. Feedback, Attorney
PO Box 1715
Helena MT 59624-1715

Land and Water Consulting, Inc.
PO Box 8254
Missoula MT 59807

Jody Miller, Special Assistant
United States Attorney
PO Box 7669
Missoula MT 59807

Roselyn Rennie, Attorney
Office of the Billings Field
Solicitor
316 North 26th Street
Billings MT 59101

BIA Pacific NW Region Office
Branch of Resource Compliance
911 NE 11th Avenue
Portland OR 97232-4169

R. Blair Strong, Attorney
717 West Sprague Ave.
Suite 1200
Spokane WA 99220

G. Steven Brown, Attorney
1313 Eleventh Avenue
Helena MT 59601

DATED this 8 day of August, 2005.


Patricia J. Gunderson
Deputy Clerk of Court

**ABSTRACT OF WATER RIGHT CLAIM
AS MODIFIED BY THE WATER COURT**

**WESTSIDE SUBBASIN- BITTERROOT RIVER
BASIN 76H**

IMPORTANT NOTICE

AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY ORDER OF THE MONTANA WATER COURT AFTER ISSUANCE OF THE PREVIOUS DECREE.

Water Right Number: 76H 50533-00 STATEMENT OF CLAIM
Version: 2 – POST DECREE
Status: ACTIVE

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date: AUGUST 1, 1969
Enforceable Priority Date: AUGUST 1, 1969

Type of Historical Right: USE
Purpose (use): INSTITUTIONAL
BIG CREEK CAMPGROUND

Flow Rate: 5.00 GPM
Volume: 0.10 AC-FT
Source: BIG 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		SWSEW	10	8N	21W	RAVALLI

Diversion Means: BUCKET

Period of Use: MAY 1 to DECEMBER 31

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			NWSEW	10	8N	21W	RAVALLI

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/30/97: POINT OF DIVERSION, MEANS OF DIVERSION, FLOW RATE, VOLUME.