2022 Commissioner Report Big Bear Creek Enforcement Area

COMMISSIONER REPORT

Enforcement No. Diversion Name BB 001IN		Leg 1	<i>cription</i> 4E		Source BIG BEAR CREEK				
Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID	Means	From - To	Cfs	Comments
19850701	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS	41H M 30008903		FS	17*	IN	01 01 12 31	2	
					Cfs T	Total For	Diversion	2	:

Legal Description

Source

Pod

BB 001PL

Enforceable

SESWSW 23 3S4E **BIG BEAR CREEK**

Priority Date	Owner	Water Right #	Type	Use Acres	ID	Means	From - To	Cfs	Comments
18720601									
	BEAR CREEK WATER USERS ASSN	41H W 139934 00	DECR	RC 8.7	4*	HG	05 01 11 04	2.5	PODs1,2,3 appear to be no longer in

GRAMER, GARY A

GRAMER, LISA D

ROOSE, CAROLYN R

Cfs Total For Diversion

2.5

use(41H139934).Change

authorization is in place for converting use to a reservoir for recreation

Enforcement No. Diversion Name

Legal Description

Source

BB 002 HIGHWAY 191 DITCH #1

SWSWSW 23 3S4E

BIG BEAR CREEK

Enforceable Pod

Priority Date Owner Water Right # Type Use Acres ID Means From - To Cfs Comments

18730601

BEAR CREEK WATER USERS ASSN 41H W 139935 00 DECR IR 175 3* HG 05 01 11 01 2 Headgate appears to be on the west

Cfs Total For Diversion 2

2

side of the road.

Enforcement No. Diversion Name

Legal Description

Source

HG

BB 003 HIGHWAY 191 DITCH #2

BEAR CREEK WATER USERS ASSN

SWSWSW 23 3S4E

BIG BEAR CREEK

05 01 11 01

Enforceable Pod

Priority Date Owner Water Right # Type Use Acres ID Means From - To Cfs Comments

41H W 139935 00

18730601

Ç Ç

IR 175

DECR

2 POD APPEARS TO BE IN THE SESWSW ON THE WEST SIDE OF THE HIGHWAY

Cfs Total For Diversion

2

Enforcement No.	Diversion Name	Legal Desc	ription of the state of the sta	on
BB 004	HIGHWAY 191 DITCH #3	SESWSW	23	38

Source 3S4E **BIG BEAR CREEK**

Enforceable Priority Date	Owner	Water Right #	Type	Use Acres	Pod ID Means	From - To	Cfs	Comments
18730601	HART, LEE I HART, SANDRA L	41H W 3391 00	DECR	IR 46.9	2* HG	05 15 09 15	.45	Headgate appears to be near the property edge in the SESWSW on an unnamed ditch

Cfs Total For Diversion .45

Enforcement No. Diversion Name

Legal Description

Source

BB 005 HART DITCH SWSESW 23 3S4E **BIG BEAR CREEK**

Enforceable Pod **Priority Date** Use Acres

Water Right # **Owner Type**

ID Means From - To **Comments**

18730601

HART, LEE I 41H W 3391 00 DECR IR 46.9 HG 05 15 09 15 .45 POD APPEARS TO BE

DOWNSTREAM OF GALLATIN CANAL ON A DITCH KNOWN AS

"HART DITCH".

HART, SANDRA L

Cfs Total For Diversion

.45

Enforcement No. Diversion Name

Legal Description

Source

BB 006

WEST GALLATIN CANAL #1

NWNENW 26 3S4E **BIG BEAR CREEK**

Enforceable Pod **Priority Date**

Water Right # ID Means From - To **Owner Type** Use Acres **Comments**

18830415

WEST GALLATIN CANAL CO 41H W 33130 00 USE IR 8450 HG 04 15 11 01 37.5 Bear Creek splits before in Converges

with W Gallain Canal. There are two

diversions along the canal

Cfs Total For Diversion 37.5

Enforcement No. Diversion Name BB 007 WEST GALLATIN CANAL:		•	<i>Legal Description</i> #2 SESESW 23 3S4E				Source BIG B			
Enforceable Priority Date	Owner	Water Right #	Type	Use	Acres	Pod ID		From - To	Cfs	Comments
18730601	BEAR CREEK WATER USERS ASSN	41H W 139935 00	DECR	IR	175	1*	HG	05 01 11 01	2	DIVERSION OFF OF SOURCE APPEARS TO BE ON WEST GALLATIN CANAL
18830415	WEST GALLATIN CANAL CO	41H W 33130 00	USE	IR	8450	2*	HG	04 15 11 01	37.5	Bear Creek splits before in Converges with W Gallain Canal. There are two diversions along the canal

Cfs Total For Diversion

39.5

Enforcement No. Diversion Name

Legal Description

Source

BB 008PL

SENWNE 26 3S4E

BIG BEAR CREEK

Enforceable Priority Date

Owner

Water Right #

Type Use Acres

Pod
ID Means From - To Cf

05 01 10 01

Comments

18730601

DERHAM, GLENNA M

41H W 103728 00

DECR IR 246.5

2* HG

1.17 CONVEYANCE STRUCTURE IS

UNCLEAR. HEADGATE APPEARS TO BE IN THE SENWNE.

DERHAM, WILLIAM

VINTON, KAREN L & RICHARD O REVOCABLE LIVING TRUST

Cfs Total For Diversion

1.17

Enforcement No.	Diversion Name
BB 009	COLBURN DITCH

Legal Description

Source

SWSWNW 25 3S4E

BIG BEAR CREEK

Enforceable Priority Date	Owner	Water Right #	Туре	Use	Acres	Pod ID	Means	From - To	Cfs Comments
18660601									
	DERHAM, GLENNA M	41H W 103727 00	DECR	IR	243	1	HG	05 01 10 01	2.08
	DERHAM, WILLIAM								
	DSMB LLC								
	GLENNLEE LLC								
	BUFFALO LAND CO WATER USERS ASSOC	41H W 829 00	DECR	IR	146	1	HG	05 01 11 01	1.04
18730601									
	DERHAM, GLENNA M	41H W 103728 00	DECR	IR	246.5	1*	HG	05 01 10 01	1.17
	DERHAM, WILLIAM								
	VINTON, KAREN L & RICHARD O REVOCABLE LIVING TRUST								
	BUFFALO LAND CO WATER USERS ASSOC	41H W 828 00	DECR	IR	146	1	HG	05 01 11 01	.58
						Cfs T	otal For	Diversion	4.87

Enforcement No. Diversion Name		Leg	gal Des	Legal Description						
BB 010	ARMSTRONG NIXON DI	TCH NE	CH NENWSE 25 3S4E				BIG B	EAR CREE	K	
Enforceable Priority Date	Owner	Water Right #	Туре	Use	Acres	Pod ID	Means	From - To	Cfs	Comments
18710601	NIXON FAMILY TRUST DTD 10-11-2019 NIXON, CLIFFORD W	41H W 1169 00	DECR	IR	167.3	1	HG	05 01 09 15	1.25	POD for 41H 22567 00, 1169 00, 1170 00, 1171 00 is in the NENWSE ON ARMSTRONG NIXON DITCH
	NIXON FAMILY TRUST DTD 10-11-2019 NIXON, CLIFFORD W	41H W 1171 00	USE	LG	1.62	1	HG	05 01 11 30	1.38	SEE COMMISSIONER REMARK INDEX
	NIXON FAMILY TRUST DTD 10-11-2019 NIXON, CLIFFORD W	41H W 22567 00	USE	IR	167.3	1	HG	05 01 07 31	2.25	POD for 41H 22567 00, 1169 00, 1170 00, 1171 00 is in the NENWSE ON ARMSTRONG NIXON DITCH
18720601	NIXON FAMILY TRUST DTD 10-11-2019 NIXON, CLIFFORD W	41H W 1170 00	DECR	IR	167.3	1	HG	05 01 09 15	1.5	POD for 41H 22567 00, 1169 00, 1170 00, 1171 00 is in the NENWSE ON ARMSTRONG NIXON DITCH
						Cfs T	Total For	· Diversion	6.38	

Tuesday, February 15, 2022
* Indicates multiple Points of Diversion
Bold Water Right # indicates all objections and issue remarks have been resolved Page 11 of 28

Enforcement No. Diversion Name Legal Description

BB 011 ARMSTRONG HUTTINGA DITCH SENWSW 30 3S5E BIG BEAR CREEK

Enforceable Pod

Priority Date Owner Water Right # Type Use Acres ID Means From - To Cfs Comments

18720601

HUTTINGA, KATHRYN **41H W 16033 00** DECR IR 70.2 1 HG 03 01 10 31 **1.25**

HUTTINGA, RICHARD

Cfs Total For Diversion 1.25

Source

Tuesday, February 15, 2022

Enforcement No. Diversion Name BB 012 ARMSTRONG DITCH		Legal Description NESWSW 29 3S5E					Source BIG BEAR CREEK					
Enforceable Priority Date	Owner	Water Right #	Type	Use	Acres	Pod ID		From - To	Cfs	Comments		
18720601	LBJ PROPERTIES LLC	41H W 136616 00	DECR	IR	62.7	1*	HG	03 15 10 31	1.25	DIVERSION APPEARS TO BE ON "ARMSTRONG DITCH" IN THE NESWSW.		

Cfs Total For Diversion

1.25

Page 13 of 28

Enforcement No. Diversion Name

Legal Description

Source

BB 013

HOLLOWAY-WOODWORTH DITCH NWSESW 29

3S5E

BIG BEAR CREEK

Enforceable Priority Date	Owner	Water Right #	Туре	Use	Acres	Pod ID	Means	From - To	Cfs	Comments
18660601	7 RANGES INC	41H W 25660 00	DECR	IR	99.7	1	HG	05 15 11 30	.7	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH
	7 RANGES INC	41H W 25661 00	USE	ST		1	DT	05 15 11 30		DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH
	CAMPBELL JEFFERSON REVOCABLE TRUST	41H W 30071995	DECR	IR	16	1	HG	05 15 11 30	.12	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25660 00
	CAMPBELL JEFFERSON REVOCABLE TRUST	41H W 30071996	USE	ST		1	DT	05 15 11 30		DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25661 00
	FITZGERALD, CHRISTOPHER	41H W 30071998	DECR	IR	36	1	HG	05 15 11 30	.25	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25660 00
	VOLGENAU, LISA									
	FITZGERALD, CHRISTOPHER VOLGENAU, LISA	41H W 30071999	USE	ST		1	DT	05 15 11 30		BB 013 HOLLOWAY-WOODWORTH DITCH
	DUCKEN, JOHN J	41H W 30072001	DECR	IR	26.3	1	HG	05 15 11 30	.18	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25660 00
	DUCKEN, JOHN J	41H W 30072002	USE	ST		1	DT	05 15 11 30		DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25661 00

Enforcement No. Diversion Name

Legal Description

Source

BB 013

HOLLOWAY-WOODWORTH DITCH NWSESW 29

3S5E

BIG BEAR CREEK

Enforceable Priority Date	Owner	Water Right #	Type	Use	Acres	Pod ID M	Ieans	From - To	Cfs	Comments
18670601	HAXTON RICHARD A & EUNICE F LIVING TRUST	41H W 114988 00	DECR	IR	175	1	HG	05 01 11 15	2.5	
18720601	LBJ PROPERTIES LLC	41H W 136616 00	DECR	IR	62.7	2*	HG	03 15 10 31	1.25	POD IS ON HOLLOWAY- WOODWORTH DITCH ALSO KNOWN AS "HAXTON" DITCH
18730601	DECK, STACEY A KUBIT, THOMAS G REISER, EDWARD G REISER, MARY R	41H W 210808 00	DECR	IR	173.3	1	HG	05 15 10 31	1.88	
	7 RANGES INC	41H W 25659 00	DECR	IR	99.7	1	HG	05 15 11 30	1.05	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH
	CAMPBELL JEFFERSON REVOCABLE TRUST	41H W 30071994	DECR	IR	16	1	HG	05 15 11 30	.18	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25659 00
	FITZGERALD, CHRISTOPHER VOLGENAU, LISA	41H W 30071997	DECR	IR	36	1	HG	05 15 11 30	.38	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25659 00

Legal Description Enforcement No. Diversion Name Source

BB 013 HOLLOWAY-WOODWORTH DITCH NWSESW 29 3S5E **BIG BEAR CREEK**

Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID Me	eans From - T	o Cfs	Comments
Triority Bute	DUCKEN, JOHN J	41H W 30072000	DECR	IR 26.3		HG 05 15 11 :	· ·	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25659 00
18780601								
	DECK, STACEY A	41H W 210809 00	DECR	IR 173.3	1 1	HG 05 15 10	31 1.25	
	KUBIT, THOMAS G							
	REISER, EDWARD G							
	REISER, MARY R							
18830531								
	DECK, STACEY A	41H W 110404 00	FILE	ST	1	DT 01 01 12	31	
	KUBIT, THOMAS G							
	REISER, EDWARD G							
	REISER, MARY R							
	WATERS, ANN J							
19120630								
	NEALE, DIANA T	41H W 136597 00	USE	ST	1 I	HG 01 01 12	31	SEE COMMISSIONER REMARK
	NEALE, GRAHAM							INDEX
	NEALE, DIANA T	41H W 136612 00	USE	IR 8	1 !	HG 03 15 10	31 .25	SEE COMMISSIONER REMARK
	NEALE, GRAHAM							

Tuesday, February 15, 2022 * Indicates multiple Points of Diversion

Page 16 of 28

Enforcement No. Diversion Name

Legal Description

Source

BB 013

HOLLOWAY-WOODWORTH DITCH NWSESW 29

3S5E

BIG BEAR CREEK

Enforceable Priority Date	Owner	Water Right #	Type	Use Acres	Pod ID	Means	From - To	Cfs	Comments
	STUKER, JOHN L	41H W 30069712	USE	ST	1	HG	01 01 12 31		SEE COMMISSIONER REMARK INDEX.
	STUKER, JOHN L	41H W 30069714	USE	IR 8	1	HG	03 15 10 31	.25	SEE COMMISSIONER REMARK INDEX
	WEPPLER, LANCE L WEPPLER, REBECCA C	41H W 30069715	USE	IR 8	1	HG	03 15 10 31	.25	SEE COMMISSIONER REMARK INDEX

Cfs Total For Diversion 10.77

Tuesday, February 15, 2022 * Indicates multiple Points of Diversion

Source

Cfs Total For Diversion

8.25

Legal Description

BB 014	SCAHILL-STEWART DITC	CH SW	NWNE	32	3S5E	Ξ	BEAR	CREEK		
Enforceable Priority Date	Owner	Water Right #	Туре	Use	Acres	Pod ID	Means	From - To	Cfs	Comments
18660601										
	GEISE, AUGUST W	41H W 12236 00	DECR	IR	455	1	HG	05 01 11 30	4	DITCH IS SCAHILL-STEWART DITCH
	GEISE, KATHLEEN M									BITCH
	LECLAIR, KEN									
	PORTNELL ENTERPRISES INC									
18800601										
	GEISE, AUGUST W	41H W 12235 00	DECR	IR	455	1	HG	05 01 11 30	2.5	
	GEISE, KATHLEEN M									
	LECLAIR, KEN									
	PORTNELL ENTERPRISES INC									
	HUD, JOHN & JACQUELINE LIVING TRUST	41H W 12235 01	DECR	IR	20	1	HG	04 01 10 31	1	SOURCE IS BIG BEAR CREEK
19120630										
	CURRIER, ROBERT J	41H W 148638 00	FILE	IR	49	1	HG	04 01 10 01	.75	
	CURRIER, SHANNON R									
	ELSTON, RICHARD L & MARY I REVOCABLE TRUST									
	MARX, DAVID R									
	MARX, NANCI L									
	ROSENBERG, OSCAR ESTATE OF									

Tuesday, February 15, 2022 * Indicates multiple Points of Diversion

Enforcement No. Diversion Name

Enforcement No. Diversion Name	Legal Description	Source					
BBLS 001	N2 26 3S4E	BIG BEAR CREEK					
Enforceable Priority Date Owner	Water Right # Type Use Acres	Pod ID Means From - To Cfs Comments					
19661231							

USE

ST

41H W 141148 00

Cfs Total For Diversion

01 01 12 31

LS

URSA MAJOR WATER USERS ASSN INC

Enforcement No. Diversion Name

Legal Description

Source

Pod

BBLS 002

S2NWNE 26 3S4E

BIG BEAR CREEK

Enforceable Priority Date

Owner

Water Right #

Type Use Acres

ID Means From - To Cfs Comments

18661231

VINTON, KAREN L & RICHARD O REVOCABLE LIVING TRUST

41H W 139863 00

USE

ST

1 LS 01 01 12 31

Cfs Total For Diversion

Tuesday, February 15, 2022

Enforcement No. Diversion Name BBLS 003		Legal Description W2 25 3S4E				Source BIG BEAR CREEK					
Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID	Means	From - To	Cfs	Comments		
18710601	NIXON FAMILY TRUST DTD 10-11-2019 NIXON, CLIFFORD W	41H W 14390 00	USE	ST	1	LS	07 01 06 30				

Cfs Total For Diversion

Enforcement No. Diversion Name Legal Description

BBLS 004 N2S2 30 3S5E BIG BEAR CREEK

Enforceable Pod

Priority Date Owner Water Right # Type Use Acres ID Means From - To Cfs Comments

18720601

LBJ PROPERTIES LLC 41H W 136604 00 USE ST 1 LS 01 01 12 31

Cfs Total For Diversion

Source

Tuesday, February 15, 2022

Enforcement No. Diversion Name BBLS 005		L eg E2	<i>Legal Description</i> E2 32 3S5E					Source BIG BEAR CREEK					
Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID		From - To	Cfs	Comments				
18900701	USA (DEPT OF AGRICULTURE FOREST SERVICE)	41H W 55299 00	USE	ST	1	LS	06 01 10 31						

Cfs Total For Diversion

Page 23 of 28

Enforcement No. Diversion Name BBLS 006			Legal Description 4 4S5E					Source BIG BEAR CREEK					
Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID	Means	From - To	Cfs	Comments				
18900701	USA (DEPT OF AGRICULTURE FOREST SERVICE)	41H W 55300 00	USE	ST	1	LS	06 01 10 31						
					Cfs T	Total For	Diversion						

Page 24 of 28

Enforcement No. Diversion Name BBLS 007		· ·	<i>Legal Description</i> SW 10 4S5E					Source BIG BEAR CREEK				
Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID		From - To	Cfs	Comments			
18900701	USA (DEPT OF AGRICULTURE FOREST SERVICE)	41H W 55303 00	USE	ST	1	LS	06 01 10 31					
		Cfs					fs Total For Diversion					

Enforcement No. Diversion Name

Legal Description

Source

WC 001 (BB 013) HOLLOWAY-WOODWORTH DITCH NWSESW 29

3S5E

BIG BEAR CREEK

Enforceable Priority Date	Owner	Water Right #	Туре	Use Ac	Pod res ID		From - To	Cfs	Comments
19120630	NEALE, DIANA T NEALE, GRAHAM	41H W 136612 00	USE	IR 8	1	HG	03 15 10 31	.25	THIS IS A SECONDARY POINT OF DIVERSION FOR 41H 136612 00
	STUKER, JOHN L	41H W 30069714	USE	IR 8	1	HG	03 15 10 31	.25	THIS IS A SECONDARY POINT OF DIVERSION FOR 41H 30069714
	WEPPLER, LANCE L WEPPLER, REBECCA C	41H W 30069715	USE	IR 8	1	HG	03 15 10 31	.25	THIS IS A SECONDARY POINT OF DIVERSION FOR 41H 30069715
					C.C.	m . 1 m	Diversity	75	

Cfs Total For Diversion .75

3S5E

Enforcement No. Diversion Name

Legal Description

Source

WCLS 001 (BB

HOLLOWAY-WOODWORTH DITCH NWSESW 29

BIG BEAR CREEK

013)

Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID	Means	From - To	Cfs	Comments
19120630	NEALE, DIANA T	41H W 136597 00	USE	ST	1	HG	01 01 12 31		THIS IS A SECONDARY POINT OF DIVERSION FOR 41H 136597 00
	NEALE, GRAHAM								

Cfs Total For Diversion

Enforcement No. Diversion Name

Legal Description

Source

WCLS 002 (BB

HOLLOWAY-WOODWORTH DITCH NWSESW 29

3S5E

BIG BEAR CREEK

013)

Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID	Means	From - To	Cfs	Comments
19120630	STUKER, JOHN L	41H W 30069712	USE	ST	1	HG	01 01 12 31		THIS IS A SECONDARY POINT OF DIVERSION FOR 41H 30069712

Cfs Total For Diversion