

Montana Water Court  
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Bozeman, MT 59771-1389  
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(406) 586-4364  
watercourt@mt.gov

**FILED**  
04/11/2025  
Sara Calkins  
CLERK  
Montana Water Court  
STATE OF MONTANA  
By: D'Ann CIGLER  
41S-0320-R-2024  
Block, Nathaniel  
9.00

IN THE WATER COURT OF THE STATE OF MONTANA  
LOWER MISSOURI DIVISION  
JUDITH RIVER BASIN (41S)  
PRELIMINARY DECREE

\*\*\*\*\*

CLAIMANT: Hughes & Sons Cattle Company

**CASE 41S-0320-R-2024**

41S 148544-00  
41S 148579-00  
41S 148580-00  
41S 148582-00  
41S 148583-00  
41S 166795-00  
41S 166796-00  
41S 30131049  
41S 30131054  
41S 30131055

**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 may file a written objection to this Master's Report within **10 days** of the stamped date if you disagree or find errors with the Master's findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master's Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. 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 Judith River (Basin 41S) with issue remarks.

The claims were consolidated into Case 41S-0320-R-2024 on March 25, 2024, and the claimants were ordered to work with the Department of Natural Resources and Conservation ("DNRC") to resolve the issue remarks on the claims. On June 28, 2024, the filed a Memo ("Memo") (Doc.<sup>1</sup> 2.00). On August 20, 2024, this Master issued an Order Setting Filing Deadline ordering the claimant to file documentation to state its position on the recommendations in the Memo.

On August 9, 2024, claimant filed a response to the Memo ("Response") (Doc. 5.00) and Order.

On September 13, 2024, this Court issued a second Order Setting Filing Deadline, ordering the claimant to file a sworn statement verifying claims 41S 30131049 and 41S 30131054 were true and correct to the best of their knowledge. On October 17, 2024, claimant Hughes & Sons Cattle Company filed documentation swearing the same (Doc. 8.00) (hereinafter, the Response and October 17, 2024, filing are collectively referred to as the "Responses").

## FINDINGS OF FACT

1. Pursuant to the Memo and the Responses, claim 41S 148544-00 should be modified as follows:

**\*Point of Diversion and Means of Diversion:**

| <u>ID</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u>        |
|-----------|-----------------|------------|------------|------------|------------|----------------------|
| 1         |                 | SW         | SE         | NW         | 25         | 14N 11E JUDITH BASIN |

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** ~~LIVESTOCK DIRECT FROM SOURCE~~ Dam

2. Pursuant to the Memo and the Responses, claims 41S 148579-00, 41S 148580-00, 41S 148582-00, and 41S 148583-00 should be dismissed.

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<sup>1</sup> "Doc." numerical references correlate to case file docket numbers in the Water Court's Full Court case management system.

3. Pursuant to the Memo and the Responses, claim 41S 166795-00 should be modified as follows:

**Type of Historical Right:** ~~FILED~~ **USE**

**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         |              |                 | SE             | 24         | <del>11N</del><br>14N | <del>14E</del><br>11E | JUDITH BASIN  |

4. Pursuant to the Memo and the Responses, claim 41S 166796-00 should be modified as follows:

**Type of Historical Right:** ~~FILED~~ **USE**

5. Pursuant to the Memo, the issue remark stating that ‘more than one water right may be involved’ should be removed from claim 41S 30131055 without modification to the claim.

### PRINCIPLES OF LAW

1. The Montana Water Court has the authority to determine the extent of all water rights in the state as they existed prior to July 1, 1973. *Fellows v. Saylor*, 2016 MT 45, ¶ 25, 382 Mont. 298, 367 P.3d 732; §§ 85-2-233, -102(13), MCA.

2. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. § 85-2-227, MCA. This prima facie proof may be contradicted and overcome by other evidence that proves, by a preponderance of the evidence, that the elements of the claim do not accurately reflect the beneficial use of the water right as it existed prior to July 1, 1973. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R.

3. The Water Court may use information submitted by the DNRC, the Statement of Claim, and any other data obtained by the Court to evaluate a water right. §§ 85-2-227, -231(2), MCA.

### CONCLUSIONS OF LAW

1. The claims should be modified as discussed above.

2. Modification or dismissal of the claims as described above resolves the substantive issue remarks on the modified or dismissed claims.

3. The October 17, 2024, filing resolves the remarks stating that the claim form was not signed or notarized on claims 41S 30131049 and 41S 30131054.

4. The remaining issue remarks should be removed from the claims as they do not require additional information or proceedings to resolve.

### **RECOMMENDATION**

1. Upon review the record in this case, the claims should be modified as discussed above and the issue remarks should be removed from the claims as discussed above.

Post Decree Abstracts of Water Right Claims are attached to this Master's Report for review.

### **ELECTRONICALLY SIGNED AND DATED BELOW.**

#### **Service via USPS Mail:**

Hughes & Sons Cattle Company  
PO Box 195  
Stanford, MT 59479-0195

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:** 41S 148544-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** ACTIVE

**Owners:** HUGHES & SONS CATTLE COMPANY  
PO BOX 195  
STANFORD, MT 59479-0195

**Priority Date:** JULY 10, 1904

**Type of Historical Right:** FILED

**Purpose (Use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** JACKSON LAKE #1

**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         |                 | SWSENW         | 25         | 14N        | 11E        | JUDITH BASIN  |

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**\*Reservoir:** ONSTREAM **Reservoir Name:** JACKSON LAKE #1

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
|                 | SWSENW         | 25         | 14N        | 11E        | JUDITH BASIN  |

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 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         |              |                 | SWSENW         | 25         | 14N        | 11E        | JUDITH BASIN  |

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**JUDITH RIVER**  
**BASIN 41S**

**Water Right Number:**      **41S 148579-00**    STATEMENT OF CLAIM

**Version:**      4 -- POST DECREE

**Status:**      **DISMISSED**

**Owners:**                      HUGHES & SONS CATTLE COMPANY  
   PO BOX 195  
   STANFORD, MT 59479-0195

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):**                      IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:**                      SPRING, UNNAMED TRIBUTARY OF SAGE CREEK

**Source Type:**                      GROUNDWATER

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:** 41S 148580-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** DISMISSED

**Owners:** HUGHES & SONS CATTLE COMPANY  
PO BOX 195  
STANFORD, MT 59479-0195

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):** IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:** SAGE CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**JUDITH RIVER**  
**BASIN 41S**

**Water Right Number:**       **41S 148582-00**   STATEMENT OF CLAIM

**Version:**       4 -- POST DECREE

**Status:**       **DISMISSED**

**Owners:**                   HUGHES & SONS CATTLE COMPANY  
                                  PO BOX 195  
                                  STANFORD, MT 59479-0195

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):**               IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:**             UNNAMED TRIBUTARY OF SAGE CREEK

**Source Type:**             GROUNDWATER

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**JUDITH RIVER**  
**BASIN 41S**

**Water Right Number:**      **41S 148583-00**    STATEMENT OF CLAIM

**Version:**      4 -- POST DECREE

**Status:**      **DISMISSED**

**Owners:**                      HUGHES & SONS CATTLE COMPANY  
   PO BOX 195  
   STANFORD, MT 59479-0195

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):**                      IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:**                      SPRING, UNNAMED TRIBUTARY OF RUNNING WOLF CREEK

**Source Type:**                      GROUNDWATER

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:** 41S 166795-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** HUGHES & SONS CATTLE COMPANY  
PO BOX 195  
STANFORD, MT 59479-0195

**Priority Date:** MAY 6, 1971

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF SAGE 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         |                 | NWSE           | 24         | 14N        | 11E        | JUDITH BASIN  |

**\*Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Reservoir:** ONSTREAM

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
|                 | NWSE           | 24         | 14N        | 11E        | JUDITH BASIN  |

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 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         |              |                 | SE             | 24         | 14N        | 11E        | JUDITH BASIN  |

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:** 41S 166796-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** HUGHES & SONS CATTLE COMPANY  
PO BOX 195  
STANFORD, MT 59479-0195

**Priority Date:** MAY 6, 1971

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF RUNNING WOLF 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         |                 | NWNESE         | 28         | 15N        | 11E        | JUDITH BASIN  |

**\*Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Reservoir:** ONSTREAM

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
|                 | NWNESE         | 28         | 15N        | 11E        | JUDITH BASIN  |

**Diversion to Reservoir:** DIVERSION # 1

**Period of Use:** JANUARY 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         |              |                 | NWNESE         | 28         | 15N        | 11E        | JUDITH BASIN  |

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:** 41S 30131049 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HUGHES & SONS CATTLE COMPANY  
PO BOX 195  
STANFORD, MT 59479-0195

**\*Priority Date:** DECEMBER 31, 1917

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** SPRING, UNNAMED TRIBUTARY OF RUNNING WOLF 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         |                 | SWNWSW         | 28         | 15N        | 11E        | JUDITH BASIN  |

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 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         |              |                 | SWNWSW         | 28         | 15N        | 11E        | JUDITH BASIN  |

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:** 41S 30131054 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HUGHES & SONS CATTLE COMPANY  
PO BOX 195  
STANFORD, MT 59479-0195

**\*Priority Date:** DECEMBER 31, 1904

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF SAGE 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                           |                              | SESESE         | 24         | 14N        | 11E        | JUDITH BASIN  |
| <b>Period of Diversion:</b> | JANUARY 1 TO DECEMBER 31     |                |            |            |            |               |
| <b>Diversion Means:</b>     | LIVESTOCK DIRECT FROM SOURCE |                |            |            |            |               |
| 2                           |                              | E2E2NE         | 25         | 14N        | 11E        | JUDITH BASIN  |
| <b>Period of Diversion:</b> | JANUARY 1 TO DECEMBER 31     |                |            |            |            |               |
| <b>Diversion Means:</b>     | LIVESTOCK DIRECT FROM SOURCE |                |            |            |            |               |
| 3                           |                              | NENESE         | 25         | 14N        | 11E        | JUDITH BASIN  |
| <b>Period of Diversion:</b> | JANUARY 1 TO DECEMBER 31     |                |            |            |            |               |
| <b>Diversion Means:</b>     | LIVESTOCK DIRECT FROM SOURCE |                |            |            |            |               |
| 4                           |                              | W2W2SW         | 19         | 14N        | 12E        | JUDITH BASIN  |
| <b>Period of Diversion:</b> | JANUARY 1 TO DECEMBER 31     |                |            |            |            |               |
| <b>Diversion Means:</b>     | LIVESTOCK DIRECT FROM SOURCE |                |            |            |            |               |
| <b>Period of Use:</b>       | JANUARY 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         |              |                 | SESESE         | 24         | 14N        | 11E        | JUDITH BASIN  |
| 2         |              |                 | E2E2NE         | 25         | 14N        | 11E        | JUDITH BASIN  |
| 3         |              |                 | NENESE         | 25         | 14N        | 11E        | JUDITH BASIN  |
| 4         |              |                 | W2W2SW         | 19         | 14N        | 12E        | JUDITH BASIN  |

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:** 41S 30131055 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HUGHES & SONS CATTLE COMPANY  
PO BOX 195  
STANFORD, MT 59479-0195

**\*Priority Date:** DECEMBER 31, 1904

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF SAGE 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         |                 | SWSW           | 24         | 14N        | 11E        | JUDITH BASIN  |

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |    |    |     |     |              |
|---|--|----|----|-----|-----|--------------|
| 2 |  | W2 | 25 | 14N | 11E | JUDITH BASIN |
|---|--|----|----|-----|-----|--------------|

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** JANUARY 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         |              |                 | SWSW           | 24         | 14N        | 11E        | JUDITH BASIN  |
| 2         |              |                 | W2             | 25         | 14N        | 11E        | JUDITH BASIN  |