

Montana Water Court  
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IN THE WATER COURT OF THE STATE OF MONTANA  
UPPER MISSOURI DIVISION  
MADISON RIVER BASIN (41F)  
PRELIMINARY DECREE

\* \* \* \* \*

CLAIMANT: Reed Montana Holdings LLC

OBJECTOR: Reed Montana Holdings LLC

**CASE 41F-0084-R-2025**  
41F 148601-00

**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 Water Court included claim 41F 148601-00 in the Preliminary Decree for the Madison River (Basin 41F). The claim received a self-objection from Claimant Reed Montana Holdings, LLC ("Reed Montana"), but no issue remarks, counterobjections, or notices of intent to appear. The Water Court consolidated the claim into Water Court Case 41F-0084-R-2025 to resolve the objection. (Doc.<sup>1</sup> 1.00).

### **FINDINGS OF FACT**

1. Claim 41F 148601-00 is a domestic water right for 15.00 gpm with a priority date of April 30, 1982.
2. Reed Montana filed an objection to the ownership and all elements of the claim, stating that ownership should be updated to reflect Reed Montana as the sole owner.
3. The claim file for claim 41F 148601-00 shows that on August 20, 2024, Reed Montana filed an ownership update with the DNRC, and on September 23, 2024, the DNRC processed the ownership update. Reed Montana is reflected as the sole owner of claim 41F 148601-00 on the Preliminary Decree abstract.
4. The Court set a deadline of May 9, 2025, for Reed Montana to indicate whether any issues remained unresolved with the claim. (Doc. 1.00).
5. On April 28, 2025, Reed Montana filed a withdrawal of its objection, stating that the "issues presented by this claim at the time of the objection filing have since been resolved." (Doc. 2.00).

### **CONCLUSIONS OF LAW**

1. The Montana Water Court has jurisdiction over all matters relating to the determination of existing water rights. Section 3-7-224, MCA.
2. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. Section 85-2-227, MCA. This prima facie proof may be contradicted

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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.

and overcome by other evidence that proves, by a preponderance of the evidence, that an element of the prima facie claim is incorrect. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R.

3. The Montana Water Court is permitted to use information submitted by the Department of Natural Resources and Conservation, the statement of claim, information from approved compacts, and any other data obtained by the Court to evaluate water right claims. Section 85-2-231(2), MCA.

4. Reed Montana's withdrawal of its objection resolves all issues raised. No further proceedings are necessary.

### RECOMMENDATIONS

Based upon the above Findings of Fact and Conclusions of Law, this Master recommends the Court find the objection to claim 41F 148601-00 resolved.

A Post Decree Abstract of Water Right Claim is served with this Master's Report.

**ELECTRONICALLY SIGNED AND DATED BELOW.**

#### Service via Electronic Mail

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POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MADISON RIVER  
BASIN 41F

Water Right Number: 41F 148601-00 STATEMENT OF CLAIM  
Version: 3 -- POST DECREE  
Status: ACTIVE

Owners: REED MONTANA HOLDINGS LLC  
% TAX & WEALTH MANAGEMENT INC  
600 SUPERIOR AVE E#2430  
CLEVELAND, OH 44114

Priority Date: APRIL 30, 1982

Type of Historical Right: FILED

Purpose (Use): DOMESTIC

Flow Rate: 15.00 GPM

Volume: 1.50 AC-FT

Households: 2

Source Name: GROUNDWATER

Source Type: GROUNDWATER

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		SWNE	10	4S	2W	MADISON

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

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			SWNE	10	4S	2W	MADISON