

Montana Water Court
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MONTANA WATER COURT
YELLOWSTONE DIVISION
YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE
BASIN 43QJ
SECOND PRELIMINARY DECREE

* * * * *

CLAIMANTS: Eunice C. Goddard; Lee R. Goddard; Lori
Goddard

CASE 43QJ-0162-R-2025

43QJ 30137088

43QJ 30137095

43QJ 30137144

43QJ 30137146

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 have **13 days** from the service date of the notice of filing of this report to file a written objection or request an extension of the objection period. Rule 23, Water Right Adjudication Rules; Rule 6, Montana Rules of Civil Procedure. 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

Claim 43QJ 30137088 appeared in the Second Preliminary Decree with the following

notice remark:

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 07/24/2023 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LANGFORD GREG HENRY.

Claims 43QJ 30137095, 43QJ 30137144, and 43QJ 30137146 each appeared in the Preliminary Decree with the following notice remark:

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 07/25/2023 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LANGFORD GREG HENRY.

The August 11, 2025 Order Consolidating Case And Setting Filing Deadline includes the following:

ORDERED that the deadline for **the person identified in the above remarks** to file an ownership update with the DNRC is **October 15, 2025**. If not filed by October 15, 2025, the Court will conclude that person has determined that he does not have an ownership interest in these claimed water rights.

(**Emphasis** in original.) Review of the state's centralized record system on October 17, 2025 shows no ownership update was filed.

On August 27, 2025 Lee Roy Goddard and Lori Goddard filed a response stating that the ownership remarks are based on erroneous data about the property in the Montana Cadastral system. On September 3, 2025 the Order For DNRC Assistance Pursuant To Section 85-2-243, MCA was issued requesting DNRC review and correction of the geocodes. On September 12, 2025, the DNRC Memorandum was filed confirming there were errors and reporting that the geocodes were corrected as described in the Goddards' response. These documents are viewable in the Court's FullCourt Enterprise case management system.

APPLICABLE LAW

A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content pursuant to Mont. Code Ann. § 85-2-222 (2025). 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 including for claimants objecting to their own claims. Rule 19, W.R.Adj.R.

FINDINGS OF FACT

1. As no ownership update was filed, the notice remarks concerning ownership on claims 43QJ 30137088, 43QJ 30137095, 43QJ 30137144, and 43QJ 30137146 should be removed as having served their notice purpose.

2. These claims each appeared in the Second Preliminary Decree for this Basin with the following notice remark:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 43QJ DECREE ISSUED 07/23/1985.

This remark provides notice that the claim was not included in the first Preliminary Decree. The remark does not raise an unresolved issue which needs to be addressed. The remarks should be removed as having served their notice purpose.

CONCLUSION OF LAW

The information provided by the claimants is sufficient to remove the notice issue remarks without evidentiary hearing.

RECOMMENDATIONS

Based upon the above Findings of Fact and Conclusion of Law, this Master recommends the Court make the changes specified in the Findings of Fact to correct the Second Preliminary Decree for this Basin. A Post Decree Abstract of Water Right Claim is served with this Report to confirm the recommended changes have been made in the state's centralized record system.

ELECTRONICALLY SIGNED AND DATED BELOW

Service Via USPS Mail:

Eunice C. Goddard

PO Box 305

~~PO Box 426~~

Reed Point, MT 59069

(Return Mail Received 9/9/2025)

Lee R. Goddard

Lori Goddard

PO Box 24

Reed Point, MT 59069

Last Order

Greg H. Langford

145 Lower Sweet Grass Rd

Big Timber, MT 59011-7773

****Note: Service List Updated 10/21/2025****

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE
BASIN 43QJ

Water Right Number: 43QJ 30137088 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: EUNICE C GODDARD
PO BOX 426
REED POINT, MT 59069

LEE R GODDARD
122 E 1ST AVE N
PO BOX 24
REED POINT, MT 59069

LORI GODDARD
122 E 1ST AVE N
PO BOX 24
REED POINT, MT 59069

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

Type of Historical Right: USE

Purpose (Use): DOMESTIC

Flow Rate: 15.00 GPM

Volume: 3.50 AC-FT

Households: 4

Maximum Acres: 1.00

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		SENWNW	32	1S	18E	STILLWATER

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	1.00		SENWNW	32	1S	18E	STILLWATER

Total: 1.00

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE
BASIN 43QJ

Water Right Number: 43QJ 30137095 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: EUNICE C GODDARD
PO BOX 426
REED POINT, MT 59069

LEE R GODDARD
122 E 1ST AVE N
PO BOX 24
REED POINT, MT 59069

LORI GODDARD
122 E 1ST AVE N
PO BOX 24
REED POINT, MT 59069

Priority Date: OCTOBER 20, 1970

***Type of Historical Right:** FILED

Purpose (Use): DOMESTIC

Flow Rate: 50.00 GPM

Volume: 3.50 AC-FT

Households: 2

Maximum Acres: 1.00

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		NWSWNW	32	1S	18E	STILLWATER

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	1.00		NWSWNW	32	1S	18E	STILLWATER

Total: 1.00

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE
BASIN 43QJ

Water Right Number: 43QJ 30137144 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: EUNICE C GODDARD
PO BOX 426
REED POINT, MT 59069

LEE R GODDARD
122 E 1ST AVE N
PO BOX 24
REED POINT, MT 59069

LORI GODDARD
122 E 1ST AVE N
PO BOX 24
REED POINT, MT 59069

Priority Date: JUNE 29, 1973

***Type of Historical Right:** FILED

Purpose (Use): STOCK

Flow Rate: 25.00 GPM

***Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING 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: 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		SENWNW	32	1S	18E	STILLWATER

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			SENWNW	32	1S	18E	STILLWATER

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE
BASIN 43QJ

Water Right Number: 43QJ 30137146 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: EUNICE C GODDARD
PO BOX 426
REED POINT, MT 59069

LEE R GODDARD
122 E 1ST AVE N
PO BOX 24
REED POINT, MT 59069

LORI GODDARD
122 E 1ST AVE N
PO BOX 24
REED POINT, MT 59069

Priority Date: JUNE 29, 1973

***Type of Historical Right:** FILED

Purpose (Use): DOMESTIC

Flow Rate: 25.00 GPM

Volume: 10.00 AC-FT

Households: 4

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		SENWNW	32	1S	18E	STILLWATER

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	5.00		SENWNW	32	1S	18E	STILLWATER

Total: 5.00

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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