

Montana Water Court
PO Box 1389
Bozeman, MT 59771-1389
1-800-624-3270
(406) 586-4364
watercourt@mt.gov

MONTANA WATER COURT
UPPER MISSOURI DIVISION
MISSOURI RIVER ABOVE HOLTER DAM
BASIN (41I)
PRELIMINARY DECREE

CLAIMANTS: Jason Lacross; Jennifer Lacross; Namaste LLC; Sally Jo Ryan

CASE 41I-1025-R-2024
41I 143560-00

OBJECTOR: United States of America (Bureau of Land Management)

ORDER APPROVING STIPULATION AND CLOSING CASE

Claim 41I 143560-00 was included in the Preliminary Decree for the Missouri River above Holter Dam, Basin 41I. Claim 41I 143560-00 is a direct-from-source stock water claim for Sixteenmile Creek. The claim was subject to an objection from the United States, Bureau of Land Management (“BLM”). The claim also received an issue remark indicating the point of diversion ID #5 identified as Section 10, Township 4 North, Range 5 East was incorrect. The Water Court is required to resolve issue remarks pursuant to Section 85-2-248, Mont. Code Ann.

On September 19, 2025, the BLM and Claimants Jason and Jennifer Lacross filed a Stipulation to Resolve the Objection (“Stipulation”). (Doc. 12.00). The Stipulation removed federal land from the claim, including the place of use and point of diversion ID #5. The Stipulation also requests that the claim be split so that Jason and Jennifer Lacross’s portion is reflected on a separate abstract from Namaste LLC and Sally Jo Ryan’s portion as follows. Jason and Jennifer Lacross’ point of diversion and place of use is the N2NW of Section 13, Township 4 North, Range 4 East. Namaste LLC and Saly Jo Ryan’s portion includes the remaining points of diversion and place of use, with a

correction to reflect the SE of Section 10 and the N2 of Section 14, both in Township 4 North, Range 4 East.

Namaste LLC and Sally Jo Ryan, co-owners of claim 41I 143560-00 were not party to the Stipulation. The Court set a deadline for Namaste LLC and Sally Jo Ryan to respond whether they agreed with the Stipulation. (Doc. 13.00). The deadline fell during a period of time in which proceedings were continued based on the October 7, 2025 *Statewide Order Continuing Cases with Federal Parties*. (Doc. 14.0). Deadlines were continued pending restoration of appropriations for the United States Department of Justice. The deadline was re-set allowing additional time for Namaste LLC and Sally Jo Ryan to show cause why they should not be deemed in agreement with the Stipulation. (Doc. 16.00). Namaste LLC and Sally Jo Ryan did not respond to the deadline and are deemed in agreement with the Stipulation.

Settlement agreements reached by parties are subject to Water Court approval. Rule 17(a), W.R.Adj.R. The Water Court may split claims pursuant to request of the parties. *See* Rule 26, W.R.Adj.R. The split does not constitute an increase in any aspect of the claim. The modifications requested in the Stipulation resolved both the BLM's objection and the issue remark.

Therefore, it is

ORDERED that the Stipulation is APPROVED.

ORDERED that claim 41I 143560-00 is split as reflected on the attached abstracts.

ORDERED that proceedings in this case are CLOSED.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail:

Namaste LLC
15 Longfellow Rd
Wellesley Hills, MA 02481

Sally Jo Ryan
4311 50th Ave NE
Seattle, WA 98105

Service Via Electronic Mail:

Benjamin S. Sudduth
Sudduth Law, PLLC
benjamin@sudduthlaw.com

Michelle Ramus
Trial Attorney
US Dept of Justice, ENRD-NRS
michelle.ramus@usdoj.gov
MontanaBasins.ENRD@USDOJ.GOV

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MISSOURI RIVER, ABOVE HOLTER DAM
BASIN 41I**

Water Right Number: 411 143560-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: SALLY JO RYAN
4311 50TH AVE NE
SEATTLE, WA 98105

NAMASTE LLC
15 LONGFELLOW RD
WELLESLEY HILLS, MA 02481-5220

Priority Date: JUNE 1, 1906

Type of Historical Right: FILED

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: SIXTEENMILE CREEK

Source Type: SURFACE WATER

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			9	4N	4E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		N2	9	4N	3E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		NW	17	4N	3E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		NWNW	13	4N	4E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		SE	10	4N	4E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MISSOURI RIVER, ABOVE HOLTER DAM
BASIN 41I**

Water Right Number: 41I 30173985 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JASON LACROSS
6760 SYPES CANYON RD
BOZEMAN, MT 59715

JENNIFER LACROSS
6760 SYPES CANYON RD
BOZEMAN, MT 59715-7797

Priority Date: JUNE 1, 1906

Type of Historical Right: FILED

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: SIXTEENMILE 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		N2NW	13	4N	4E	GALLATIN

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			N2NW	13	4N	4E	GALLATIN

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.

143545-00 143560-00 30173985

THIS CLAIM WAS GENERATED BASED UPON THE INFORMATION CONTAINED IN 41I 143560-00.