

Montana Water Court  
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**FILED**  
02/24/2026  
Melissa Lockman  
CLERK  
Montana Water Court  
STATE OF MONTANA  
By: D'Ann CIGLER  
41S-2073-R-2025  
Stern, Anika  
7.00

MONTANA WATER COURT  
LOWER MISSOURI DIVISION  
JUDITH RIVER  
BASIN 41S  
PRELIMINARY DECREE

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CLAIMANT: Mauws Ranch Irrevocable Trust  
OBJECTOR: United States, DOA Forest Service

CASE 41S-2073-R-2025  
41S 105668-00

**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 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**

FINDINGS OF FACT

1. The record owner of domestic claim 41S 105668-00 is Mauws Irrevocable Trust (Claimant).
2. The United States (USDA Forest Service) objected to claim 41S 105668-00, indicating:

Water Right Claim Nos. 41S 41313-00 and 41S 105688-00 appear to be duplicative. Claim 41S 41313-00 should be withdrawn.

3. On February 13, 2026, the United States withdrew its objection to claim 41S 105668-00.

#### PRINCIPLE OF LAW

A properly filed Statement of Claim for an existing water right is prima facie proof of its content. § 85-2-227, MCA. This prima facie validity may be overcome by evidence showing that one or more elements of the claim are incorrect. This standard of proof applies to objectors or claimants objecting to their own water right claims. Rule 19, W.R.Adj.R.; *Nelson v. Brooks*, 2014 MT 120, ¶ 34, 375 Mont. 86, 329 P.3d 558.

#### CONCLUSIONS OF LAW

1. The prima facie status of claim 41S 105668-00 has not been overcome.
2. The only Objection to claim 41S 105668-00 has been withdrawn without condition.

#### RECOMMENDATION

Claim 41S 105668-00 should remain as decreed.

An abstract is enclosed.

**ELECTRONICALLY SIGNED AND DATED BELOW.**

#### **Service Via USPS Mail:**

Mauws Ranch Irrevocable Trust  
Bryan M. & Sarah Mauws Trustees  
P.O. Box 162  
Judith Gap, MT 59453-0162

#### **Service Via Electronic Mail:**

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*(Attys for: United States, DOA Forest Service)*

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

**Water Right Number:** 41S 105668-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** MAUWS RANCH IRREVOCABLE TRUST  
BRYAN M & SARAH MAUWS TRUSTEES  
PO BOX 162  
JUDITH GAP, MT 59453-0162

**Priority Date:** SEPTEMBER 5, 1972

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 3.00 GPM

**\*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 SEVEN SPRING COULEE

**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		NWSWSW	16	11N	15E	JUDITH BASIN

**Period of Diversion:** JUNE 1 TO OCTOBER 1

**Diversion Means:** FLOWING

**Period of Use:** JUNE 1 TO OCTOBER 1

**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			NWNWSE	16	11N	15E	JUDITH BASIN