

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

CLAIMANTS: Hughes Livestock Co.; Randal G. Ridgeway

CASE 41S-0316-R-2024

41S 121194-00
41S 121196-00
41S 148365-00
41S 148366-00
41S 148367-00
41S 160560-00
41S 160561-00

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 W.R. Adj.R.; 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. Hughes Livestock Co. is the record owner of claims 41S 121194-00 and 41S 121196-00. Randal G. Ridgeway is the record owner of claims 41S 148365-00, 41S 148366-00, 41S 148367-00, 41S 160560-00, and 41S 160561-00.

2. The claims in this Case are related by the following Montana Department of Natural Resources and Conservation ("DNRC") issue remark:

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 41S 121194-00, 41S 121196-00, 41S 148365-00, 41S 148366-00, 41S 148367-00, 41S 160560-00, 41S 160561-00.

The listed claims claimed the Alexander Peters December 22, 1890 claim from Coyote Creek. Together, they overclaim the Peters historical right for 1.25 cubic feet per second (cfs) by 1.44 cfs:¹

121194	ST	N/A	
121196	ST	N/A	
148365	IR	340.00	GPM
148366	IR	249.39	GPM
148367	IR	257.21	GPM
160560	IR	340.00	GPM
160561	IR	249.39	GPM
TOTAL:		1435.99	GPM

Certain claims were decreed in the 41S Preliminary Decree with additional DNRC issue remarks:

¹ 1,207.28 gallons per minute (gpm) = 2.69 cfs.

41S 148365-00:

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- ADDITIONAL PROCEEDINGS ON THE JOSEPH L. FIEDLER OBJECTION TO MAXIMUM ACRES ARE STAYED PENDING ISSUANCE OF THE PRELIMINARY DECREE AT WHICH TIME THE OBJECTION AND THE ISSUE REMARKS CONCERNING THE PLACE OF USE AND MAXIMUM ACRES CAN BE ADDRESSED AND RESOLVED TOGETHER.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 20.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-159 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE POINT OF DIVERSION APPEARS TO BE INCORRECT. PER REVIEW OF THE CLAIM MAP AND JUDITH BASIN CO USDA AERIAL PHOTOGRAPH NO. 179-159, DATED 09/17/1979, THE POINT OF DIVERSION APPEARS TO BE IN THE NESWNW SEC 5 TWP 15N RGE 12E JUDITH BASIN CO.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

41S 148366-00:

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- ADDITIONAL PROCEEDINGS ON THE JOSEPH L. FIEDLER OBJECTION TO MAXIMUM ACRES ARE STAYED PENDING ISSUANCE OF THE PRELIMINARY DECREE AT WHICH TIME THE OBJECTION AND THE ISSUE REMARKS CONCERNING THE PLACE OF USE AND MAXIMUM ACRES CAN BE ADDRESSED AND RESOLVED TOGETHER.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 12.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-159 , DATED 09/17/1979 , APPEARS TO INDICATE 12.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

41S 148367-00:

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-159 , DATED 09/17/1979 , APPEARS TO INDICATE 16.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

41S 160560-00:

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- ADDITIONAL PROCEEDINGS ON THE JOSEPH L. FIEDLER OBJECTION TO MAXIMUM ACRES ARE STAYED PENDING ISSUANCE OF THE PRELIMINARY

DECREE AT WHICH TIME THE OBJECTION AND THE ISSUE REMARKS CONCERNING THE PLACE OF USE AND MAXIMUM ACRES CAN BE ADDRESSED AND RESOLVED TOGETHER.

- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 20.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-159 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE POINT OF DIVERSION APPEARS TO BE INCORRECT. PER REVIEW OF THE CLAIM MAP AND JUDITH BASIN CO USDA AERIAL PHOTOGRAPH NO. 179-159, DATED 09/17/1979, THE POINT OF DIVERSION APPEARS TO BE IN THE NESWNW SEC 5 TWP 15N RGE 12E JUDITH BASIN CO.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

41S 160561-00:

- THIS CLAIM AND CLAIM # 41S-W-148366-00 ARE BASED ON THE SAME FILED APPROPRIATION. BOTH CLAIMS SHALL NOT EXCEED .49 CFS. THE COURT, AT THIS TIME, MAKES NO DETERMINATION OF CORRECT PREDECESSORS IN INTEREST OR THE CORRECT DIVISION OF THIS WATER AMONG THE CLAIMANTS.
- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- ADDITIONAL PROCEEDINGS ON THE JOSEPH L. FIEDLER OBJECTION TO MAXIMUM ACRES ARE STAYED PENDING ISSUANCE OF THE PRELIMINARY DECREE AT WHICH TIME THE OBJECTION AND THE ISSUE REMARKS CONCERNING THE PLACE OF USE AND MAXIMUM ACRES CAN BE ADDRESSED AND RESOLVED TOGETHER.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 12.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-159 , DATED 09/17/1979 , APPEARS TO INDICATE 12.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

All issue remarks must be addressed.

3. In 1984, then-owner Joseph L. Fiedler filed Objections to claims 41S 148365-00, 41S 148366-00, 41S 148367-00, 41S 160560-00, and 41S 160561-00, indicating the irrigated acreage claimed had been reduced in the Temporary Preliminary Decree in error and he filed the late Objections to that reduction. Joseph L. Fiedler explained he was owner of Fiedler Ranch Co., the claimant of this water right at the time, and he was filing the Objection “to protect his ownership interest in this company.”

4. The Preliminary Decree Objection period in Basin 41S closed on August 21, 1984. Because Joseph L. Fiedler Objections were overdue, an issue remark was added to claims 41S 148365-00, 41S 148366-00, 41S 148367-00, 41S 160560-00, and 41S 160561-00 to ensure the late-filed Objections could be addressed during the Preliminary Decree in Basin 41S. The Preliminary Decree was issued on August 18, 2022.

5. Water Resource Specialist Brandon Ahlgren attempted to address the late Objections when he addressed issue remarks, but Joseph L. Fiedler was not included on the Court's service list. Joseph L. Fiedler should be given the opportunity to participate in proceedings and is added to the service list in this Case, and a deadline is included for him in the section below.

6. As part of issue remark resolution, it must be determined if Joseph L. Fiedler will pursue the 1984 Objections to claims 41S 148365-00, 41S 148366-00, 41S 148367-00, 41S 160560-00, and 41S 160561-00.

7. Additionally, an Order Setting Filing Deadline was issued on July 22, 2024, explaining:

On June 12, 2024, the Department of Natural Resources filed a Memorandum making several recommendations for modifications to the claims.... The recommendations fail to resolve the [over-filed notice of appropriation] remark.

Water Master Block then suggested a potential resolution for resolving the decree exceeded issue remark decreed on the claims in this Case:

The right that the claims are based on is for 1.25 CFS. One potential resolution would [sic] be to add the following remark to the claims:

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 OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. THE COMBINED FLOW RATE OF THE CLAIMS IS LIMITED TO 1.25 CFS. 41S 121194-00, 41S 121196-00, 41S 148365-00, 41S 148366-00, 41S 148367-00, 41S 160560-00, 41S 160561-00.

Water Master Nathan Block proceeded to set a deadline for the parties to file documentation regarding their position on his proposed resolution. (Doc. 3.00).

Unfortunately, Water Master Block’s proposed resolution does not resolve the over-filed notice of appropriation issue remark. Pursuant to Rule 41(a), W.R.C.E.R., “[a] multiple use of a water right occurs when the same appropriation has been used for more than one purpose by the original claimant.” Stock claims 41S 121194-00 and 41S 121196-00 were claimed by Hughes Livestock Co.; irrigation claims 41S 148365-00, 41S 148366-00, 41S 148367-00, 41S 160560-00, and 41S 160561-00 were claimed by Joseph L. Fiedler or Fiedler Ranch Co. The claims in this Case are not multiple uses.

8. On November 20, 2024, Amber Stenson, counsel for Hughes Livestock Co., filed Hughes’ Position on Adding ‘Multiple Use’ Type Remark. (Doc. 11.00). The November 20, 2024 filing explained:

Counsel for Hughes Livestock Co. is concerned that the inclusion of the final sentence “The combined flow rate of this claim is limited to 1.25 CFS” could create confusion for future users. While it appears that the intent of the sentence is that the 1 combined flow rate of this claim be limited to 1.25 CFS at any one time, an alternative interpretation is that the total flow rate of all of the listed water rights cannot exceed 1.25 CFS.

Since multiple rights can be used simultaneously, so long as the combined usage at any one time does not exceed the use of water in accord with historical practices, the combined flow rates of all of the listed water rights could, and indeed does, exceed 1.25 CFS. Accordingly, it seems appropriate to include the flowing alternative ‘multiple use’ remark:

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. 41S 121194-00, 41S 121196-00, 41S 148365-00, 41S 148366-00, 41S 148367-00, 41S 160560-00, 41S 160561-00.

(Doc. 11.00).

9. Because the claims in this Case are not multiple uses, this Water Master suggested an alternative resolution to the over-filed notice of appropriation issue in a June 4, 2026 Order Assuming Case, Order on Status of Case, and Order Setting Filing Deadlines. (Doc. 12.00). The Order explained that the addition of a flow rate information remark on each claim would resolve the over-filed notice of appropriation issue:

THE TOTAL FLOW RATE OF ALL OF THE LISTED WATER RIGHTS CANNOT EXCEED 1.25 CFS: 41S 121194-00, 41S 121196-00, 41S 148365-00, 41S 148366-00, 41S 148367-00, 41S 160560-00, 41S 160561-00.

10. The June 4, 2026 Order explained that Water Master Block did not set a deadline to determine if Randal G. Ridgeway agreed or disagreed with the recommendations Mr. Ahlgren made as to the disposition of the issue remarks decreed on the claims in this Case that were not related to the over-filed notice of appropriation. Therefore, the Order outlined Mr. Ahlgren's recommendations and set a deadline for Mr. Ridgeway to agree or disagree that the following modifications be made to claims 41S 148365-00, 41S 148366-00, 41S 148367-00, 41S 160560-00, and 41S 160561-00:

- **Claim 41S 148365-00:**

Flow Rate: 340.00 ~~488.50~~ GPM
Maximum Acres: ~~41.00~~ 20.00
Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	20.00 41.00		NENW	5	15N	12E	JUDITH BASIN
Total:	41.00 20.00						

- **Claims 41S 148366-00 and 41S 160561-00:**

- Based on available information, claim 41S 148366-00 duplicates claim 41S 160561-00 and it should be dismissed. Unless the Claimant files information explaining why claims 41S 148366-00 and 41S 160561-00 are not duplicate claims, by the July 10, 2026 deadline, this Water Master will recommend dismissal of claim 41S 148366-00.

- **Claim 41S 148367-00:**

Flow Rate: 257.21 ~~300.46~~ GPM
Maximum Acres: 15.13 ~~23.00~~
Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	4.46 3.00		NWNE	5	15N	12E	JUDITH BASIN
2	10.67 20.00		S2SE	32	16N	12E	JUDITH BASIN
Total:	23.00 15.13						

- **Claim 41S 160560-00:**

Flow Rate: 340.00 ~~488.50~~ GPM
Maximum Acres: ~~41.00~~ 20.00
Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	20.00 41.00		NENW	5	15N	12E	JUDITH BASIN
Total:	41.00 20.00						

- **41S 160561-00:**

Flow Rate: 249.39 ~~240.04~~ GPM
Maximum Acres: 13.00 14.67
Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	43.00 14.67		N2N2NE	5	15N	12E	JUDITH BASIN
Total:	14.67 43.00						

11. On July 8, 2026, Randal G. Ridgeway filed the following statement:

I agree with the addition of the flow rate information remark to each claim in the Case.

I agree with the dismissal of 41S 148366-00, since it is a duplicate of 41S 150561-00. This will resolve the issue remark regarding the two claims using the Same Filed Appropriation.

I agree with the proposed modifications of the claims as they were outlined. *In the June 4, 2026 filing*


Randal Ridgeway

(Doc. 14.00).

12. On July 10, 2026, Hughes Livestock Co. filed a Statement. (Doc. 15.00).

The Statement explained that Hughes Livestock does not object to the Court adding the proposed flow rate information remark to 41S 121194-00 and 41S 121196-00. However, Hughes Livestock Co. provided additional facts explaining claims 41S 121194-00 and 41S 121196-00 are not Coyote Creek claims:

Adding this information remark is an acceptable path to resolving the Over-filed Notice Issue Remark on Hughes Livestock's water rights.

However, Hughes Livestock is obligated to provide the Court with the following additional facts for the Court's consideration as an alternative way to resolve the Over-filed Notice Issue Remark. Hughes Livestock's water right claims 41S 121194-00 and 41S 121196-00 are not Coyote Creek claims; they are claims for springs that are unnamed tributaries of Coyote Creek (Spring #6 and Spring #8, respectively), located in the N2SWNW of Section 5, T15N R12E.1 See, Exh. A at pp. 1—2 (41S 121194-00) and Exh. B at pp. 1—2 (41S 121196-00). The December 22, 1890 Alexander Peters Notice of Appropriation ("Peters Notice") is for Coyote Creek proper in Lots 2 and 3 of Section 52 and not specifically the springs or tributaries at the head of Coyote Creek in the SWNE of Section 5. See, Exh. C. As such, Hughes Livestock's water rights are more appropriately designated as "use" type of rights (and not "filed" type of rights). Modification of Type of Right for the Hughes Livestock water rights from "filed" to "use" would also resolve the Over-filed Notice Issue Remarks, at least as to the Hughes Livestock water right claims 41S 121194-00 and 41S-121196-00.

Modification of the Type of Right on Hughes Livestock claims does not require modification of the priority date of the Hughes Livestock water rights because, together with the other evidence described below, the Peters Notice is evidence supporting the claimed 12-22-1890 priority date of Hughes Livestock's stock water right claims 41S 121194-00 and 41S 121196-00.

The Peters' Notice identifies "other purposes" as one of the stated purposes for the water appropriation, see Exh. C, which has routinely been held by this Court to include livestock watering. Further, Alexander Peters' Patent dated January 20, 1892 shows that Peters patented the Hughes Livestock Place of Use in the SWNW of Section 5 and what is now portions of the Ridgeway property in Lots 2 and 3 of

Section 5 (Lots 2 and 3 are the location of the place of use described in the Peters Notice). See, Exh. D. Included in the Statement of Claim for 41S 12119400 is an affidavit which states that Hughes Livestock settled in the area in 1897. See, Exh. A at p. 6. The Judith Basin Water Resource Survey Fields Notes indicate that, in 1962, Hughes Livestock listed the Peters Notice as the basis for watering stock in Section 5. See, Exh. E at p. 1. Given Montana is a free range state, it is reasonable to assume that Peters – and shortly after, Hughes Livestock -- intended for their livestock, and the livestock did in fact, water from all available sources in 1890, including both Coyote Creek and the nearby springs that were claimed as the source of 41S 121194-00 and 41S 121196-00. *Danreuther Ranches v. Farmers Coop. Canal Co.*, 2017 MT 241, ¶¶ 22—23, 389 Mont. 15, 403 P.3d 332 (noting that proof of precise facts regarding activities that happened over 100 years ago is often not possible and, therefore, the Court examines the record as a whole and, in Water Court proceedings, giving adequate weight to the prima facie status of a statement of claim).

In sum, Hughes Livestock does not object to the Court’s proposed flow information remark to resolve the Over-filed Notice Issue Remark on its claims. As an alternative resolution to the Over-Filed Notice Issue Remark, and for the above-reasons and based on the cited historical documents, the Type of Right for Hughes Livestock’s claims can be modified from “filed” to “use” on 41S 121194-00 and 41S 121196-00.

(Doc. 15.00).

13. Late Objector Joseph L. Fiedler did not file anything by the July 10, 2026 deadline.

PRINCIPLES AND CONCLUSIONS OF LAW

1. A properly filed Statement of Claim for an existing water right is prima facie proof of its content. Mont. Code Ann. § 85-2-227 (2025); Rule 10, W.R.Adj.R.

2. Prima facie proof may be contradicted and overcome by a preponderance of the evidence. Rule 19, W.R.Adj.R.

3. A preponderance of the evidence is evidence that shows a fact is “more probable than not.” *Hohenlohe v. State*, 2010 MT 203, ¶ 33, 357 Mont. 438, 240 P.3d 628.

4. If prima facie status is overcome, the burden shifts back to the claimant to demonstrate historical use. *79 Ranch v. Pitsch*, 204 Mont. 426, 432-33, 666 P.2d 215, 218 (1983).

5. Section 85-2-248(2), MCA, requires that the Water Court resolve all issue remarks that are not resolved through the objection process. *See also* Rule 7, W.R.Adj.R.

6. 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.

RECOMMENDATIONS

1. Claim 41S 148366-00 should be dismissed.
2. The following modifications should be made to claims 41S 148365-00, 41S 148367-00, and 41S 160560-00, and 41S 160561-00:

- **Claim 41S 121194-00:**

Type of Historical Right: ~~FILED~~ USE

- **Claim 41S 121196-00:**

Type of Historical Right: ~~FILED~~ USE

- **Claim 41S 148365-00:**

Flow Rate: 340.00 ~~488.60~~ GPM

Maximum Acres: ~~44.00~~ 20.00

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	20.00 44.00		NENW	5	15N	12E	JUDITH BASIN
Total:		20.00 44.00					

- **Claim 41S 148367-00:**

Flow Rate: 257.21 ~~300.48~~ GPM

Maximum Acres: 15.13 ~~23.00~~

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	4.48 3.00		NWNE	5	15N	12E	JUDITH BASIN
2	10.67 20.00		S2SE	32	16N	12E	JUDITH BASIN
Total:		15.13 23.00					

- **Claim 41S 160560-00:**

Flow Rate: 340.00 ~~488.60~~ GPM

Maximum Acres: ~~44.00~~ 20.00

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	20.00 44.00		NENW	5	15N	12E	JUDITH BASIN
Total:		20.00 44.00					

- **Claim 41S 160561-00:**

Flow Rate: 249.39 ~~249.04~~ GPM

Maximum Acres: ~~13.00~~ 14.67

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	14.67 13.00		N2N2NE	5	15N	12E	JUDITH BASIN
Total:		14.67 13.00					

3. Joseph L. Fiedler's late Objections to claims 41S 148365-00, 41S 138366-00, 41S 148367-00, 41S 160560-00, and 41S 160561-00 should be dismissed.

4. The issue remarks should be removed from the active claim abstracts.

Post decree abstracts are enclosed.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail:

Randal G. Ridgeway
42517 US Hwy 87
Stanford, MT 59479-9609

Joseph L. Fiedler
% Joseph A. Uribe, PR
1020 6th Road NE
Power, MT 59468

Service via Electronic Mail:

Last Order:

Amber L. Stenson
Front Range Law, PLLC
astenson@frontrangemt.com

Betsy R Story
Abigail R. Brown
Parsons Behle & Latimer
ecf@parsonsbehle.com,
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(Attys for: Hughes Livestock Co.)

****Note: Service List Updated: 7-20-2026****

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

Water Right Number: 41S 121194-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: HUGHES LIVESTOCK CO
PO BOX 338
STANFORD, MT 59479-0338

Priority Date: DECEMBER 22, 1890

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 COYOTE CREEK

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	5	15N	12E	JUDITH BASIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

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			NWSWNW	5	15N	12E	JUDITH BASIN

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

Water Right Number: 41S 121196-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: HUGHES LIVESTOCK CO
PO BOX 338
STANFORD, MT 59479-0338

Priority Date: DECEMBER 22, 1890

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: COYOTE SPRING

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		NESWNW	5	15N	12E	JUDITH BASIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

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			NESWNW	5	15N	12E	JUDITH BASIN

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

Water Right Number:41S 148365-00 STATEMENT OF CLAIM

Version:4 -- POST DECREE

Status:ACTIVE

Owners:RANDAL G RIDGEWAY
42517 US HWY 87
STANFORD, MT 59479-9609

Priority Date:DECEMBER 22, 1890

Type of Historical Right:FILED

Purpose (Use):IRRIGATION

Irrigation Type:FLOOD

Flow Rate:340.00 GPM

THE TOTAL FLOW RATE OF ALL OF THE LISTED WATER RIGHTS CANNOT EXCEED 1.25 CFS: 41S 148365-00, 41S 148367-00, 41S 160560-00, 41S 160561-00.

Volume:55.00 AC-FT

Climatic Area:3 - MODERATE

Maximum Acres:20.00

Source Name:COYOTE CREEK

Source Type:SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSENW	5	15N	12E	JUDITH BASIN

Period of Diversion:MAY 1 TO OCTOBER 15

Diversion Means:DIKE

Period of Use:MAY 1 TO OCTOBER 15

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	20.00		NENW	5	15N	12E	JUDITH BASIN
Total:	20.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

148365-00160560-00

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

Water Right Number: 41S 148366-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: DISMISSED

Owners: RANDAL G RIDGEWAY
42517 US HWY 87
STANFORD, MT 59479-9609

Priority Date:

Type of Historical Right:

Purpose (Use): IRRIGATION

Flow Rate:

Volume:

Source Name: COYOTE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

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 148367-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: RANDAL G RIDGEWAY
42517 US HWY 87
STANFORD, MT 59479-9609

Priority Date: DECEMBER 22, 1890

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 257.21 GPM

THE TOTAL FLOW RATE OF ALL OF THE LISTED WATER RIGHTS CANNOT EXCEED
1.25 CFS: 41S 148365-00, 41S 148367-00, 41S 160560-00, 41S 160561-00.

Volume: 115.00 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 15.13

Source Name: COYOTE 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		NWNWNE	5	15N	12E	JUDITH BASIN

Period of Diversion: MAY 1 TO OCTOBER 15

Diversion Means: DIKE

Period of Use: MAY 1 TO OCTOBER 15

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	4.46		NWNE	5	15N	12E	JUDITH BASIN
2	10.67		S2SE	32	16N	12E	JUDITH BASIN

Total: 15.13

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

Water Right Number: 41S 160560-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: RANDAL G RIDGEWAY
42517 US HWY 87
STANFORD, MT 59479-9609

Priority Date: DECEMBER 22, 1890

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 340.00 GPM

THE TOTAL FLOW RATE OF ALL OF THE LISTED WATER RIGHTS CANNOT EXCEED 1.25 CFS: 41S 148365-00, 41S 148367-00, 41S 160560-00, 41S 160561-00.

Volume: 55.00 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 20.00

Source Name: COYOTE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSENW	5	15N	12E	JUDITH BASIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	20.00		NENW	5	15N	12E	JUDITH BASIN
Total:	20.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

148365-00160560-00

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

Water Right Number: 41S 160561-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: RANDAL G RIDGEWAY
42517 US HWY 87
STANFORD, MT 59479-9609

Priority Date: DECEMBER 22, 1890

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 249.39 GPM

THE TOTAL FLOW RATE OF ALL OF THE LISTED WATER RIGHTS CANNOT EXCEED
1.25 CFS: 41S 148365-00, 41S 148367-00, 41S 160560-00, 41S 160561-00.

Volume: 65.00 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 14.67

Source Name: COYOTE 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		NWNE	5	15N	12E	JUDITH BASIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

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	14.67		N2N2NE	5	15N	12E	JUDITH BASIN

Total: 14.67