

Montana Water Court  
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**FILED**  
03/09/2026  
Melissa Lockman  
CLERK  
Montana Water Court  
STATE OF MONTANA  
By: D'Ann CIGLER  
41S-2119-R-2025  
Stern, Anika  
11.00

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

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CLAIMANTS: Lillian Joy Badertscher; Marilyn Brown; Jerry Brown; Joseph N. Baker; Barbara Skelton; Bill Skelton

**CASE 41S-2119-R-2025**

41S 14540-00  
41S 14544-00  
41S 14545-00  
41S 14548-00  
41S 14549-00  
41S 14553-00  
41S 14554-00  
41S 14555-00  
41S 14563-00  
41S 14567-00  
41S 16493-00

**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. Lillian Joy Badertscher, Marilyn Brown<sup>1</sup>, Jerry Brown, Barbara Skelton, Bill Skelton, and Joseph N. Baker (hereinafter referred to as “the Claimants”) are the record owners of claims 41S 139227-00, 41S 139241-00, 41S 139242-00, 41S 139248-00, 41S 139250-00, 41S 139255-00, 41S 139256-00.

2. The Claimants were ordered to meet with the DNRC to address unresolved issue remarks decreed on claims 41S 14540-00, 41S 14544-00, 41S 14545-00, 41S 14548-00, 41S 14549-00, 41S 14553-00, 41S 14554-00, 41S 14555-00, 41S 14563-00, 41S 14567-00, and 41S 16493-00:

**Claims 41S 14540-00 and 41S 14567-00:**

- 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 14540-00, 41S 14567-00, 41S 16493-00.

**Claims 41S 14544-00, 41S 14545-00, and 41S 14553-00:**

- 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 0.00 ACRES IRRIGATED.

**Claim 41S 14548-00:**

- 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). 30045-179-141 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

**Claim 41S 14549-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- 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 14549-00, 41S 14563-00 .

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<sup>1</sup> It’s been noted in other Cases that Marilyn Brown’s first name is spelled with a single “n.” The correction has been made in the context of this Case. Ms. Brown should contact the DNRC for the correction to be made in DNRC records, including abstracts.

- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY ( 1963 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- AERIAL PHOTOGRAPH NO(S). NA-15G-184 , DATED 09/23/1950 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

**Claims 41S 14554-00 and 41S 14555-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY( 1963 )APPEARS TO INDICATE 17.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
- USDA AERIAL PHOTOGRAPH NO. 30045-279-35 , DATED 09/18/1979 APPEARS TO INDICATE 17.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

**Claim 41S 14563-00:**

- 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 14549-00, 41S 14563-00.

**Claim 41S 16493-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- 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 14540-00, 41S 14567-00, 41S 16493-00 .
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY ( 1963 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- AERIAL PHOTOGRAPH NO(S). NA-15G-184 , DATED 09/23/1950 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

(Doc.<sup>2</sup> 1.00).

3. DNRC Water Resource Specialist Brandon Ahlgren filed a Memorandum on December 12, 2025, stating he met with Lillian Joy Badertscher and attorney Rennee Coppock representing Barbara Skelton. (Doc. 6.00). Mr. Ahlgren made recommendations for the disposition of the issue remarks. Not all of Mr. Ahlgren’s recommendations were accepted by the Water Master, for example:

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<sup>2</sup> “Doc.” numerical references correlate to case file docket numbers in the Water Court’s Full Court case management system.

This Water Master does not accept Mr. Ahlgren's recommendation as to the over-filed notice of appropriation for claims 41S 14549-00 and 41S 14563-00. Claims 41S 14549-00 and 41S 14563-00 are irrigation and stock rights, respectively. Both were claimed as filed rights based on the June 19<sup>th</sup> 1959 Paul Suden Notice of Appropriation for 10.00 miner's inches (112.20 gallons per minute (gpm)/.25 cubic feet per second) of water for domestic and household use from Dry Wolf Creek. Claims 41S 14549-00 and 41S 14563-00 are for irrigation and stock use and claim considerably more than 112.20 gpm. Further, simply modifying one or both claims *may* resolve the over-filed notice of appropriation issue, but no type of historical use has been established.

(Doc. 7.00). An Order was issued setting a deadline for the parties to agree or disagree with the following proposed modifications for the claims in this Case:

- **Claims 41S 14540-00** (Barbara and Bill Skelton), **41S 14567-00** (Barbara and Bill Skelton) **and 41S 16493-00** (all claimants):
  - The over-filed notice of appropriation issue remark can be removed from these claims if the following modifications (in particular the flow rate modification) are made to claim 41S 16493-00:

Flow Rate: 255.02 GPM **36.09 GPM**

Maximum Acres: 45.00 **2.17**

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	<b>SESENE</b>	NESESE	12	14N	9E	JUDITH BASIN

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	<b>2.17</b> 45.00		E2SENE	12	14N	9E	JUDITH BASIN
<b>Total:</b>		45.00					<b>2.17</b>

- **Claim 41S 14544-00** (Barbara and Bill Skelton):
  - Claim should be dismissed.
- **Claim 41S 14545-00** (Barbara and Bill Skelton):
  - Claim should be dismissed.
- **Claim 41S 14548-00** (Barbara and Bill Skelton):

Flow Rate: **2.60** 3.00-CFS

Maximum Acres: 420.00 **68.52**

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	<b>NWSWSW</b>	SWNEGW	1	14N	9E	JUDITH BASIN

Period of Diversion: APRIL 1 TO NOVEMBER 15

Diversion Means: HEADGATE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	<b>51.19</b> 80.00		E2NE	1	14N	9E	JUDITH BASIN
2	<b>17.33</b> 40.00		SWSW	31	15N	10E	JUDITH BASIN
<b>Total:</b>		420.00					<b>68.52</b>

- **Claim 41S 14549-00** (Barbara and Bill Skelton):

Flow Rate: 2.60 CFS **112.20 GPM**  
 Maximum Acres: 80.00 **33.61**  
 Point of Diversion and Means of Diversion:  

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	<b>SENWNE</b>	NWSWNE	13	14N	9E	JUDITH BASIN

 Period of Diversion: APRIL 1 TO NOVEMBER 15  
 Diversion Means: HEADGATE  
 Place of Use:  

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	<b>33.61</b>	80.00	E2SE	12	14N	9E	JUDITH BASIN
Total:		80.00	<b>33.61</b>				

- The type of historical use of this claim must be substantiated as it is neither a domestic nor a household claim.

- **Claim 41S 14553-00** (Barbara and Bill Skelton):

- Claim should be dismissed.

- **Claims 41S 14554-00 and 41S 14555-00** (Barbara and Bill Skelton):

Flow Rate: 6.06 CFS **289.00 GPM**  
 Maximum Acres: 480.00 **17.00**  
 Place of Use:  

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County	
1	<b>17.00</b>	480.00	<b>SESW</b>	SW	24	16N	11E	JUDITH BASIN
Total:		480.00	<b>17.00</b>					

- **Claim 41S 14563-00** (all claimants):

- The type of historical use of this claim must be substantiated as it is neither a domestic nor a household claim.

A January 23, 2026 deadline was set for the parties to agree or disagree with the proposed modifications. (Doc. 7.00).

4. On January 21, 2026, Abbie and Barbara Skelton (the Skeltons) filed a Statement Regarding Modification of Issue Remarks. (Doc. 8.00). The Skeltons indicated they agree the elements of claims 41S 14540-00 and claim 41S 14567-00 should remain unchanged; claims 41S 14544-00, 41S 14545-00, and 41S 14553-00 should be dismissed; and claims 41S 14548-00, 41S 14554-00, and 41S 14555-00 should be modified as proposed in the December 23, 2025 Order. The Skeltons referenced the Affidavit of Barbara B. Skelton, which they indicate was filed concurrently with the January 21, 2026 filing to support modifications to claims 41S 14549-00 and 41S 14563-00. No such Affidavit was filed. The Skeltons indicated they agree with the modifications to maximum acres and flow rate for claim 41S 16493-00. It is unclear if the Skeltons also agreed with the proposed modification to the point of diversion.

5. An Order was issued setting a deadline for the Skeltons to provide support for the proposed changes to claims 41S 14549-00 and 41S 14563-00. The Order also set a deadline for Lillian Joy Badertscher, Joseph N. Baker, Jerry Brown, and Marilyn Brown to file a statement agreeing or disagreeing that Abbie Skelton is the only owner of claim 41S 16493-00. The Order indicated that if nothing were filed by the February 27, 2026 deadline, it would be determined that Lillian Joy Badertscher, Joseph N. Baker, Jerry Brown, and Marilyn Brown agree that Abbie Skelton is the only owner of claim 41S 16493-00. The Order also set a deadline for Abbie Skelton to file a statement indicating whether she agrees or disagrees with the proposed point of diversion modification for claim 41S 16493-00. The Order indicated that if nothing were filed by the deadline, it would be determined that Lillian Joy Badertscher, Joseph N. Baker, Jerry Brown, and Marilyn Brown agree Abbie Skelton is the only owner of claim 41S 16493-00 and that Abbie Skelton agrees with the proposed legal land description for the point of diversion modification for claim 41S 16493-00. The Order included the following language:

Failure to comply with the terms of this Order may result in sanctions, up to and including entry of default and termination of a water right claim or dismissal of objections. Rule 22, W.R.Adj.R.

6. On February 27, 2026, Barbara Skelton and Abbie Skelton filed the Affidavit of Barbara Skelton through counsel. (Doc. 10.00). In the Affidavit, Barbara Skelton recounted her memory of historical use of claims 41S 14549-00 and 41S 14563-00 for stock when she was a young girl (she was born in 1949).

Additionally, the February 27, 2026 filing stated Abbie Skelton agrees with the proposed point of diversion change for claim 41S 16493-00.

#### PRINCIPLES AND CONCLUSIONS OF LAW

1. The Water Court must address all issue remarks decreed on a claim. Mont. Code Ann. § 85-2-248 (2025).

2. 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.

3. Claims 41S 14554-00 and 41S 14555-00 were decreed with a remark indicating “the combined acres” for the group of supplemental claims may need to be adjusted. Supplemental rights remarks no longer included a quantified acreage figure; the remark is obsolete and can be removed.

### RECOMMENDATIONS

1. Claims 41S 14548-00, 41S 14549-00, 41S 14554-00, 41S 14555-00, and 41S 14563-00, and 41S 16493-00 should be modified as follows:

- **Claim 41S 14548-00:**

Flow Rate: 2.60 3.00-CFS  
 Maximum Acres: 120.00 68.52  
 Point of Diversion and Means of Diversion:  

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	NWSWSW	SWNESW	1	14N	9E	JUDITH BASIN

 Period of Diversion: APRIL 1 TO NOVEMBER 15  
 Diversion Means: HEADGATE  
 Place of Use:  

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	51.19 80.00		E2NE	1	14N	9E	JUDITH BASIN
2	17.33 40.00		SWSW	31	15N	10E	JUDITH BASIN
<b>Total:</b>	<b>120.00 68.52</b>						

- **Claim 41S 14549-00:**

Type of Historical Right: FILED USE  
 Flow Rate: 2.60 CFS 112.20 GPM  
 Maximum Acres: 80.00 33.61  
 Point of Diversion and Means of Diversion:  

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	SEWNNE	NWGWNE	13	14N	9E	JUDITH BASIN

 Period of Diversion: APRIL 1 TO NOVEMBER 15  
 Diversion Means: HEADGATE  
 Place of Use:  

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	33.61 80.00		E2SE	12	14N	9E	JUDITH BASIN
<b>Total:</b>	<b>80.00 33.61</b>						

- **Claims 41S 14554-00 and 41S 14555-00:**

Flow Rate: 6.06-CFS 289.00 GPM  
 Maximum Acres: 180.00 17.00  
 Place of Use:  

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	17.00 180.00		SESW SW	24	18N	11E	JUDITH BASIN
<b>Total:</b>	<b>180.00 17.00</b>						

- Claim 41S 14563-00:

Type of Historical Right: FILED USE

- Claim 41S 16493-00:

**Owner:**

LILLIAN JOY BADERTSCHER  
PO BOX 399  
STANFORD, MT 50470-0300

JOSEPH N BAKER  
PO BOX 111  
STANFORD, MT 50470-0111

JERRY BROWN  
PO BOX 300  
STANFORD, MT 50470-0300

MARILYNN BROWN  
PO BOX 399  
STANFORD, MT 50470-0300

BARBARA SKELTON  
7266 US HIGHWAY 3  
BILLINGS, MT 59108-0807

BILL SKELTON  
PO BOX 520  
STANFORD, MT 50470-0520

Abbie Skelton  
ID # 422793

Flow Rate: 255.02 GPM 36.09 GPM

Maximum Acres: 45.00 2.17

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	<span style="border: 1px solid red; padding: 2px;">SESENE</span>	NESESE	12	14N	9E	JUDITH BASIN

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	<span style="border: 1px solid red; padding: 2px;">2.17</span> 45.00		E2SENE	12	14N	9E	JUDITH BASIN

Total: 45.00 2.17

2. Claims 41S 14544-00, 41S 14545-00, and 41S 14553-00 should be dismissed.

3. The issue remarks should be removed from claims 41S 14540-00, 41S 14548-00, 41S 14549-00, 41S 14554-00, 41S 14555-00, and 41S 14563-00, 41S 14567-00, and 41S 16493-00.

Abstracts are attached for review.

**ELECTRONICALLY SIGNED AND DATED BELOW.**

**Service Via USPS Mail:**

Lillian Joy Badertscher  
Marilyn Brown  
Jerry Brown  
PO Box 399  
Stanford, MT 59479-0399

Joseph N. Baker  
PO Box 111  
Stanford, MT 59479-0111

Bill Skelton  
P.O. Box 529  
Stanford, MT 59479-0529

**Service via Electronic Mail:**

Renee L. Coppock  
Madeleine Weisz  
Crowley Fleck PLLP  
jbonvillain@crowleyfleck.com  
rcoppock@crowleyfleck.com  
mweisz@crowleyfleck.com  
cspinelli@crowleyfleck.com  
(Attys for: Barbara Skelton & Abbie Skelton)

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

**Water Right Number:** 41S 14540-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** BARBARA SKELTON  
7256 US HIGHWAY 3  
BILLINGS, MT 59106-9697  
  
BILL SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:** JUNE 1, 1920

**Type of Historical Right:** FILED

**Purpose (Use):** DOMESTIC

**Flow Rate:** 25.00 GPM

**Volume:** 1.50 AC-FT

**Households:** 2

**Source Name:** SPRING, UNNAMED TRIBUTARY OF DRY WOLF 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		NESESE	12	14N	9E	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			NESESE	12	14N	9E	JUDITH BASIN

**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.

14540-00      14567-00      16493-00

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

**Water Right Number:** 41S 14544-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** **DISMISSED**

**Owners:** BARBARA SKELTON  
7256 US HIGHWAY 3  
BILLINGS, MT 59106-9697  
  
BILL SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):** IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**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 14545-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** **DISMISSED**

**Owners:** BARBARA SKELTON  
7256 US HIGHWAY 3  
BILLINGS, MT 59106-9697  
  
BILL SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):** IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:** RUNNING WOLF CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**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 14548-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** ACTIVE

**Owners:** BARBARA SKELTON  
7256 US HIGHWAY 3  
BILLINGS, MT 59106-9697  
  
BILL SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:** APRIL 20, 1891

**Type of Historical Right:** FILED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.60 CFS

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 68.52

**Source Name:** PLACER 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		NWSWSW	1	14N	9E	JUDITH BASIN

**Period of Diversion:** APRIL 1 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO NOVEMBER 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	51.19		E2NE	1	14N	9E	JUDITH BASIN
2	17.33		SWSW	31	15N	10E	JUDITH BASIN

**Total:** 68.52

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

**Water Right Number:** 41S 14549-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** ACTIVE

**Owners:** BARBARA SKELTON  
7256 US HIGHWAY 3  
BILLINGS, MT 59106-9697

BILL SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:** OCTOBER 1, 1958

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 112.20 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 33.61

**Source Name:** DRY WOLF 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		SEWNWE	13	14N	9E	JUDITH BASIN

**Period of Diversion:** APRIL 1 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO NOVEMBER 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	33.61		E2SE	12	14N	9E	JUDITH BASIN

**Total:** 33.61

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**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.

14549-00      14563-00

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

**Water Right Number:** 41S 14553-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** **DISMISSED**

**Owners:** BARBARA SKELTON  
7256 US HIGHWAY 3  
BILLINGS, MT 59106-9697  
  
BILL SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):** IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:** RUNNING WOLF CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

**Period of Use:**

**Place of Use:**

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**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 14554-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** BARBARA SKELTON  
7256 US HIGHWAY 3  
BILLINGS, MT 59106-9697  
  
BILL SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:** MAY 17, 1882

**Type of Historical Right:** FILED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 289.00 GPM

**Volume:** 384.00 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 17.00

**Source Name:** WOLF 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		SWNWNW	25	16N	11E	JUDITH BASIN

**Period of Diversion:** APRIL 1 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO NOVEMBER 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	17.00		SESW	24	16N	11E	JUDITH BASIN
<b>Total:</b>	17.00						

**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.

14554-00                      14555-00

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.

14554-00

14582-00

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

**Water Right Number:** 41S 14555-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** BARBARA SKELTON  
7256 US HIGHWAY 3  
BILLINGS, MT 59106-9697  
  
BILL SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:** MAY 17, 1885

**Type of Historical Right:** FILED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 289.00 GPM

**Volume:** 384.00 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 17.00

**Source Name:** WOLF 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		SWNWNW	25	16N	11E	JUDITH BASIN

**Period of Diversion:** APRIL 1 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO NOVEMBER 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	17.00		SESW	24	16N	11E	JUDITH BASIN
<b>Total:</b>	<b>17.00</b>						

**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.

14554-00            14555-00

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.

14555-00

14583-00

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

**Water Right Number:** 41S 14563-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:**

LILLIAN JOY BADERTSCHER  
PO BOX 399  
STANFORD, MT 59479-0399

JOSEPH N BAKER  
PO BOX 111  
STANFORD, MT 59479-0111

JERRY BROWN  
PO BOX 399  
STANFORD, MT 59479-0399

MARILYNN BROWN  
PO BOX 399  
STANFORD, MT 59479-0399

ABBIE SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:** OCTOBER 1, 1958

**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:** DRY WOLF 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		NENE	13	14N	9E	JUDITH BASIN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

2		E2SE	12	14N	9E	JUDITH BASIN
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**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE



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

**Water Right Number:** 41S 14567-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** BARBARA SKELTON  
7256 US HIGHWAY 3  
BILLINGS, MT 59106-9697  
  
BILL SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:** JUNE 1, 1920

**Type of Historical Right:** FILED

**Purpose (Use):** STOCK

**Flow Rate:** 25.00 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 DRY WOLF 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		NESESE	12	14N	9E	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			NESESE	12	14N	9E	JUDITH BASIN

**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.

14540-00      14567-00      16493-00

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

**Water Right Number:** 41S 16493-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** ABBIE SKELTON  
PO BOX 529  
STANFORD, MT 59479-0529

**Priority Date:** JUNE 1, 1920

**Type of Historical Right:** FILED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 36.89 GPM

**\*Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 2.17

**Source Name:** SPRING, UNNAMED TRIBUTARY OF DRY WOLF 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		SESENE	12	14N	9E	JUDITH BASIN

**Period of Diversion:** APRIL 1 TO NOVEMBER 15

**Diversion Means:** HEADGATE

**Period of Use:** APRIL 1 TO NOVEMBER 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	2.17		E2SENE	12	14N	9E	JUDITH BASIN
<b>Total:</b>	2.17						

**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.

14540-00          14567-00          16493-00