FILED
10/08/2026
Melissa Lockman
CLERK
Montana Water Court
STATE OF MONTANA
By: D'Ann CIGLER
41F-0506-P-2025
Hyatt, Robert J.
12.00

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MONTANA WATER COURT
UPPER MISSOURI DIVISION
MADISON RIVER
BASIN 41F
PRELIMINARY DECREE

* *

CLAIMANTS: Bruce L. Chambers; Sphinx Mountain Trust

OBJECTOR: Granger Ranches LP

CASE 41F-0506-R-2025
41F 30124374

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. Claimants Bruce L. Chambers and Sphinx Mountain Trust are the record owners of claim 41F 30124374.

2. The captioned claim received two issue remarks. All claims included in the Decree were subject to pre-decree examination by the Montana Department of Natural

Resources and Conservation ("DNRC"). If during claims examination the DNRC cannot confirm some aspect of a claim, an issue remark is added to the claim for review by the Water Court.

3. Claim 41F 30124374 received the following issue remarks:

> THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 41F DECREE ISSUED 07/25/1984.
> NO PRIORITY DATE WAS CLAIMED.

The initial issue remark is a notice type issue remark clarifying this claim was not in a prior decree. It has served its purpose.

4. The captioned claim received an objection by Granger Ranches LP due to the inclusion of a point of diversion on the claim that did not qualify for inclusion in the HB 110 claim filing process.

5. On March 19, 2026, Sphinx Mountain Trust withdrew its interest in claim 41F 30124374. (Doc.[1] 9.00). This withdrawal would appear on the abstract as:

Owners: BRUCE L CHAMBERS
33970 W SPRINGCREEK RD
ALMA, KS 66401

~~SPHINX MOUNTAIN TRUST~~
~~C/O MICHAEL HARTZ, KATTEN MUCHIN ROSENMAN LLP~~
~~525 W MONROE ST STE 1900~~
~~CHICAGO, IL 60661~~

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
~~1~~		E2NESE	33	7S	1E	MADISON

~~**Source Name:** UNNAMED TRIBUTARY OF BEAR CREEK~~
~~**Period of Diversion:** APRIL 1 TO NOVEMBER 30~~
~~**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE~~

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
~~1~~			E2NESE	33	7S	1E	MADISON

[1] "Doc." numerical references correlate to case file docket numbers in the Water Court's Full Court case management system.

6. On March 23, 2026, Claimant Bruce L. Chambers filed a document entitled *Proof of Priority Date* for claim 41F 30124374. (Doc. 10.00). This filing included the original land patent for where claim 41F 30124374 resides. This land patent is dated March 14, 1910.

7. On March 25, 2026, Objector Granger Ranches LP filed a Conditional Withdrawal of Objections subject to the Withdrawal of Interest of Sphinx Mountain Trust in claim 41F 30124374. (Doc. 11.00). This filing stated that the removal of the point of diversion in section 33 would resolve Granger Ranches LP's objection to the point of diversion. The removal of the point of diversion in Section 33 results in the removal of the Unnamed Tributary of Bear Creek as a source. This was not addressed in the filing and appears to be a clerical error.

8. The filing further stated that if the Court accepts Bruce L. Chambers' asserted March 14, 1910, priority date, then Granger Ranches LP's objection to the priority date should be deemed withdrawn.

PRINCIPLES OF LAW

1. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. Section 85-2-227, MCA. Prima facie proof may be overcome by other evidence that proves, by a preponderance of the evidence, that an element of the prima facie claim is incorrect. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R. A preponderance of the evidence is a "modest standard" and is evidence that demonstrates the fact to be proved is "more probable than not." Hohenlohe v. State, 2010 MT 203, ¶ 33, 357 Mont. 348, 240 P.3d 628.

2. The Montana Water Court is permitted to use information submitted by the Department of Natural Resources and Conservation, the statement of claim, information from approved compacts, and any other data obtained by the Court to evaluate water right claims. Section 85-2-231(2), MCA.

3. Settlement, including the documents filed by a claimant where the claimant is the only party, is subject to review and approval by the Water Court. Rule 17(a), W.R.Adj.R.

4. If a claimant agrees to reduce or limit a claim, the Water Court may accept the reduction or limitation without reviewing further evidence, unless an unresolved issue remark remains. Rule 17(c), W.R.Adj.R.

5. When resolving issue remarks, the Montana Water Court must weigh the information resulting in the issue remark and the issue remark against the claimed water right. Section 85-2-247(2), MCA.

6. The Montana Water Court has the authority to resolve issue remarks when the claim file and information available to the Court provide a sufficient basis to do so. Section 85-2-248(3), MCA.

7. A clerical mistake or mistake arising from omission or oversight may be corrected by the court at any time. Rule 60(a), M.R.Civ.P.

CONCLUSIONS OF LAW

1. Based upon the claim file, the claim patent attached in support of the statement of claim, and information provided by the Claimant Bruce L. Chambers, the priority date of claim 41F 30124374 should be established as March 14, 1910.

1. Based upon the withdrawal of interest by Sphinx Mountain Trust, and Rule 60(a), M.R.Civ.P. claim 41F 30124374 should be corrected to reflect the removal of the Unnamed Tributary of Bear Creek as a source.

RECOMMENDATIONS

1. The priority date for claim 41F 30124374 should be established as March 14, 1910.

2. The issue remarks on claim 41F 30124374 should be removed.

3. Sphinx Mountain LLC should be removed as owner of claim 41F 30124374.

4. The point of diversion for claim 41F 30124374 should be reduced as follows:

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
~~1~~		~~E2NESE~~	~~33~~	~~7S~~	~~1E~~	~~MADISON~~

~~**Source Name:** UNNAMED TRIBUTARY OF BEAR CREEK~~

~~**Period of Diversion:** APRIL 1 TO NOVEMBER 30~~

~~**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE~~

5. The place of use for claim 41F 30124374 should be reduced as follows:

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
~~1~~			~~E2NESE~~	~~33~~	~~7S~~	~~1E~~	~~MADISON~~

6. The source Unnamed Tributary of Bear Creek should be removed from claim 41F 30124374.

A post decree abstract of the water right claim reflecting the recommendations is attached to this Report.

Service via USPS Mail

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Service via Electronic Mail

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Electronically Signed By:
Hon. Judge Robert John Hyatt, III
Thu, Oct 08 2026 09:16:47 AM

POST DECREE

ABSTRACT OF WATER RIGHT CLAIM

MADISON RIVER

BASIN 41F

Water Right Number: **41F 30124374** STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: BRUCE L CHAMBERS
620 BEAR CREEK LOOP
CAMERON, MT 59720

Priority Date: MARCH 14, 1910

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 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: BEAR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		N2NE	4	8S	1E	MADISON

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: APRIL 1 TO NOVEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			N2NE	4	8S	1E	MADISON