FILED
10/05/2026
Melissa Lockman
CLERK
Montana Water Court
STATE OF MONTANA
By: D'Ann CIGLER
41I-0752-R-2026
Brown, Stephen R
3.00

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

* *

CLAIMANTS: Bucks Run Inc; FBA2 LLC; Southfork Hole In the Wall LLC OBJECTORS: FBA2 LLC; Southfork Hole In the Wall LLC	**CASE 41I-0752-R-2026** 41I 30109231 **41I 30177096**

ORDER SPLITTING CLAIM AND CLOSING CASE

The Water Court decreed water right claim 41I 30109231 in the Preliminary Decree for the Missouri River Basin Above Holter Dam (Basin 41I) issued on June 24, 2022. The Preliminary Decree describes the claim as a right to use water from the South Fork of Sixteenmile Creek in Gallatin County for stock use. The Preliminary Decree abstract identifies Buck's Run Inc. ("Buck's"), FBA2 LLC ("FBA2"), and Southfork Hole in the Wall LLC ("Southfork") as co-owners of the claim.

The Preliminary Decree abstract contains the following issue remark:

> THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 41I DECREE ISSUED 03/08/1995.

This remark provided basinwide notice of this claim. Other than the self-objections, no one objected to the claim, so the remark has served its notice purpose and may be removed.

Southfork filed an objection to the claim on the basis that a split of the claim was in process at the time of the decree. According to deeds attached to the objection, Buck's conveyed the properties described in the places of use ("POU") and points of diversion

("POD") separately to FBA2 and Southfork. A split was in process at the time of the Preliminary Decree, but it was not completed. Southfork's objection asks the Court to complete the split by dividing the claim between FBA2 and Southfork, with Buck's relinquishing all its interest.

On August 25, 2026, the Court consolidated claim 41I 30109231 into this case to address the objection. The consolation order requested additional clarifying information from the parties. Southfork provided a response on September 16, 2026. Together with the deeds and other information included with the objection, sufficient information has been provided to complete the split, which resolves the objection.

Under the terms of the deeds, Buck's should be removed as an owner because it separately conveyed its interest to Southfork and FBA2. The split allocates to Southfork the places of use and points of diversion in section 11, Twp. 4 North, Rge. 5 East. The remaining places of use and points of diversion are contained in a new split claim owned by FBA2. No modification to the quantification elements is necessary because of the livestock direct from source purpose of these claims. The Court's adjudication rules provide it with authority to process this split. Rule 25, W.R.Adj.R.

ORDER

Therefore, it is ORDERED that claim 41I 30109231 is split as provided in this Order. Southfork retains sole ownership of claim 41I 30109231, as modified by this Order, with Buck's and FBA2 removed as owners. Split claim 41I 30177096 is authorized with FBA2 as the sole owner. This case now is CLOSED.

Post decree abstracts of the claims are included with this Order to confirm the split and claim modifications have been made in the State's centralized water rights record system.

Electronically Signed By:
Hon. Judge Stephen R Brown
Mon, Oct 05 2026 01:07:51 PM

Service Via USPS Mail

Bucks Run Inc.
P.O. Box 10997
Bozeman, MT 69719-0997

Southfork Hole In the Wall LLC
8906 Gold Dust Trl
Bozeman, MT 59715

FBA2 LLC
6717 W Dry Creek Rd
Manhattan, MT 59741-8057

Note: Caption and Service List Updated 9-25-26

POST DECREE

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, ABOVE HOLTER DAM

BASIN 41I

Water Right Number: **41I 30109231** STATEMENT OF CLAIM

Version: 2 -- SPLIT POST DECREE

Status: ACTIVE

Owners: SOUTHFORK HOLE IN THE WALL LLC
8906 GOLD DUST TRL
BOZEMAN, MT 59715-9326

Priority Date: JUNE 4, 1919

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: SIXTEENMILE CREEK, SOUTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNWNE	11	4N	5E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		NWSWNE	11	4N	5E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		NESWNE	11	4N	5E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		NWSENE	11	4N	5E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		SWSENE	11	4N	5E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6		NWNESE	11	4N	5E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

7	NENESE	11	4N	5E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8	SWNESE	11	4N	5E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9	SENESE	11	4N	5E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10	NESESE	11	4N	5E	GALLATIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11	SESESE	11	4N	5E	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:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			SWNWNE	11	4N	5E	GALLATIN
2			NWSWNE	11	4N	5E	GALLATIN
3			NESWNE	11	4N	5E	GALLATIN
4			NWSENE	11	4N	5E	GALLATIN
5			SWSENE	11	4N	5E	GALLATIN
6			NWNESE	11	4N	5E	GALLATIN
7			NENESE	11	4N	5E	GALLATIN
8			SWNESE	11	4N	5E	GALLATIN
9			SENESE	11	4N	5E	GALLATIN
10			NESESE	11	4N	5E	GALLATIN
11			SESESE	11	4N	5E	GALLATIN

Remarks:

SPLIT CLAIM NO. 41I 30177096 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

POST DECREE

ABSTRACT OF WATER RIGHT CLAIM

MISSOURI RIVER, ABOVE HOLTER DAM

BASIN 41I

Water Right Number: **41I 30177096** STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FBA2 LLC
6717 W DRY CREEK RD
MANHATTAN, MT 59741-8057

Priority Date: JUNE 4, 1919

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.

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7	SWNWSW	13	4N	5E	GALLATIN	
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6			NWNWSW	13	4N	5E	GALLATIN
7			SWNWSW	13	4N	5E	GALLATIN
8			NWSWSW	13	4N	5E	GALLATIN
9			SWSWSW	13	4N	5E	GALLATIN

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41I 30109231.