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FILED

MAY 22 2006

Montana Water Court

MONTANA FIFTH JUDICIAL DISTRICT COURT
 BEAVERHEAD COUNTY, MONTANA

ALBERT D. YOUNG,)	CAUSE NO. 576
)	(Red Rock River)
Plaintiff,)	
)	<u>Also Filed in Montana Water Court on May 22, 2006</u>
v.)	<u>in Case No. WC-2005-02</u>
)	
MATTIE Z. FARRINGTON, et al.,)	WATER COURT TABULATION OF CURRENT
)	OWNERSHIP OF HENRY FITTER
Defendants.)	JUNE 1, 1888 320 INCH DECREED RIGHT
)	

On December 16, 2004, pursuant to § 85-2-406(2)(b), MCA, the Montana Fifth Judicial District Court, Beaverhead County, by the Honorable Loren Tucker, District Judge, entered its Decision and Order in Cause 576 (Red Rock River). In its Order, the District Court certified River Valley Ranch, LP water right claim 41A 94608-00 and Bear Creek Ranches, LLC water right claim 41A 94627-00 to the chief water judge to determine the current ownership of the 320 miner's inch right originally decreed, with a June 1, 1888 priority date, to Henry Fitter in the 1899 District Court decree of *Albert D. Young v. Mattie Z. Farrington*, Cause 576.

On April 4, 2006, the Water Court issued its Findings of Fact, Conclusions of Law and Memorandum in Water Court Case No. WC-2005-02, together with its Order

Dismissing River Valley Ranch Claim 41A 94608-00 and Order Deleting Decree Exceeded Issue Remark on Bear Creek Ranches Claim 41A 94627-00. Copies of the April 4, 2006 findings, conclusions and memorandum, and the April 4, 2006 Order are attached.

Between the two claimants, the Water Court determined that Bear Creek Ranches, LLC is the current owner of the 320 miner's inch right originally decreed, with a June 1, 1888 priority date, to Henry Fitter in the 1899 District Court decree. The Water Court has **TERMINATED** and **DISMISSED** River Valley Claim 41A 94608-00.

Having determined the ownership of the claims certified to the Water Court, this matter is returned to the Montana Fifth Judicial District Court in accordance with § 85-2-406(2)(b), MCA.

DATED this 22 day of May, 2006.



C. Bruce Loble
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