

**IN THE WATER COURT OF THE STATE OF MONTANA
LOWER MISSOURI DIVISION
MILK RIVER, ABOVE FRESNO RESERVOIR (BASIN 40F)**

**NOTICE THAT OBJECTIONS AND COUNTEROBJECTIONS HAVE BEEN FILED
AND HEARINGS REQUESTED**

This is your personal notice that the Montana Water Court will hear objections, counterobjections, receive evidence, and review the historical beneficial use of water right claims included in the Basin 40F Interlocutory Decree issued July 13, 2022. The Water Court is only adjudicating claims on the Objection List for this Interlocutory Decree.

WHAT IS HAPPENING?

The purpose of this proceeding is to determine the historical beneficial use of the claims in the Interlocutory Decree. To assist you with this process, the Water Court prepared an **Objection List** identifying the claim number, the ownership, the water source involved, the names of any objectors and counterobjectors, and the general nature of the issues the Water Court will review. Water rights claims often change as a result of this review. *Changes to your water right or a neighbor's water right may affect you.* If you are not the claimant, objector, or counterobjector, and you want information about the progress of a water right claim through the Water Court, or to become involved as a third party in the claim proceedings, you must file a **Notice of Intent to Appear**.

We suggest you thoroughly review the objection list and decide whether you want to file a notice of intent to appear.

WHO MAY FILE A NOTICE OF INTENT TO APPEAR?

If you are ***not already involved*** in a specific water right claim as the claimant, objector, or counterobjector, but you wish to participate in the adjudication of a specific water right claim, you may file a **Notice of Intent to Appear**. Those who timely file a **Notice of Intent to Appear** on a claim will receive notice of all further proceedings relevant to the Court's review of that specific claim.

FILING DEADLINE

A **Notice of Intent to Appear** must be filed on the forms provided by the Water Court and must be returned to the Water Court, P.O. Box 1389, Bozeman, MT 59771-1389 by **June 5, 2023**.

WHERE TO SEE THE OBJECTION LIST AND OBTAIN FORMS

The Objection List may be reviewed and Notice of Intent to Appear forms may be obtained at the:

1. Montana Dept. of Natural Resources & Conservation,
Water Rights Adjudication Office, 1424 Ninth Avenue, Helena, MT 59620 (406) 444-0560 or
Havre Regional Office, 210 Sixth Ave., Havre MT 59501 MT (406) 265-5516.
2. Montana Water Court, 1123 Research Drive, Bozeman, MT (406) 586-4364.

The Objection List is available at <https://courts.mt.gov/Courts/Water/Notices-Info/PublicNotices> and the Notice of Intent to Appear form is available online at <https://courts.mt.gov/Courts/Water/LegalResources> under Forms. A paper copy of the Objection List and Notice of Intent to Appear form is available from the Water Court upon request.

The **Objection List** does not contain all the information included on the objection form. Filed objections are available at <http://wrqs.dnrc.mt.gov/> or you may contact the DNRC or Montana Water Court.

WHAT HAPPENS AFTER A NOTICE OF INTENT TO APPEAR IS FILED?

The claimant, objectors, counterobjectors, and those who filed a Notice of Intent to Appear will be notified by the Court of the time and date set for the initial status conference and all other Court proceedings. If you file a Notice of Intent to Appear, you are expected to participate in Court proceedings.

If you do not participate in Water Court proceedings, your right to appeal adverse Water Court decisions is limited by the provisions of Section 85-2-235, MCA.

BASIN MEETING WITH THE WATER COURT

An informal public meeting will be held by telephone conference call on:

- **Tuesday, May 9, 2023 at 12:00 pm.** To take part in the telephone conference, dial 406-318-5487, at the prompt enter ID: 686 245 430#

Any Questions? Call the DNRC Adjudication Office at (406) 444-0560, DNRC Havre Regional Office at (406) 265-5516, or call the Water Court at (406) 586-4364 or (800) 624-3270.

DATED this 6th day of April, 2023.

**Russ McElyea
Chief Water Judge
Montana Water Court
P. O. Box 1389
Bozeman, MT 59771-1389**

REMINDER: Notice of Intent to Appear forms must be filed by June 5, 2023.